

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN THAT the Tooele City Planning Commission will meet in a business meeting scheduled for **Wednesday, January 13, 2021** 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.

**** NOTICE ****

Tooele City has implemented the State of Utah's health guidelines regarding public gatherings. We strongly encourage anyone interested to join the Planning Commission meeting electronically by logging on to the Tooele City Facebook page, at <https://www.facebook.com/tooelecity>. If you would like to submit a comment for a public hearing item you may email pcpubliccomment@tooelecity.org anytime after the advertisement of this agenda and before the close of the hearing for that item during the meeting. Emails will only be read at the designated points in the meeting. If you choose to attend this meeting in person we ask that you maintain social distancing and wear a face covering. **In compliance with public health guidelines, Tooele City can accommodate limited capacity at City Hall. Due to limited space and social distancing requirements, we ask that you limit the number of people that attend with you.**

AGENDA

1. **Pledge of Allegiance**
2. **Roll Call**
3. **Public Hearing and Decision** on a Conditional Use Permit to allow for additional height on a new accessory garage structure and to allow the structure to exceed the 8% lot coverage restriction, the structure to be located at 408 North 1360 East in the R1-7 Residential zoning district on approximately 0.54 acres.
4. **Public Hearing and Decision** on a Conditional Use Permit to allow for additional height on a new accessory garage structure to be located at 151 West 400 South in the R1-7 Residential zoning district on approximately 1.49 acres.
5. **Public Hearing and Decision** on a Conditional Use Permit request by American West Investments to authorize the use of "Dwelling, Multi-Family" on 1.34 acres located at 145 North Broadway in the MU-B Mixed Use Broadway Zoning District.
6. **Public Hearing and Decision** on a Conditional Use Permit by Belterra Tooele, LLC, to allow the use of "Retail Store" to be located at 2347 North 400 East in the GC General Commercial zoning district on approximately 0.71 acres.
7. **Decision** on a Conditional Use Permit request by Fiore Belmonte to authorize the use of "Automobile Sales and Rental" for property located at 30 West 100 South in the GC General Commercial Zoning District (**Tabled from November 12, 2020 Planning Commission Meeting**).
8. **Recommendation** on the Hidden Hollow Preliminary Plan Subdivision request by Travis Sutherland located at approximately 600 South Oakridge Drive for 36 lots in the R1-12 Residential zoning district.

9. **Recommendation** on the Sunset Estates Phase 9 Preliminary Plan Subdivision request by Hallmark Homes located at approximately 250 West 2280 North for 46 lots in the R1-10 Residential zoning district.
10. **Public Hearing and Recommendation** on a Request by Tooele City for a Text Amendment to Sections 4-8-2, 7-11-8, 7-11a-13, and 7-19-9 of the Tooele City Code Regarding Standards for Private Street.
11. **City Council Reports**
12. **Review and Approval** of Planning Commission Minutes for Meeting Held on December 9, 2020.
13. **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 or TDD (435) 843-2108.

STAFF REPORT

January 4, 2021

To: Tooele City Planning Commission
Business Date: January 13, 2021

From: Planning Division
Community Development Department

Prepared By: Andrew Aagard City Planner / Zoning Administrator

Re: **Gochis Garage – Conditional Use Permit Request**

Application No.: P20-1304
Applicant: William Gochis
Project Location: 408 North 1360 East
Zoning: R1-7 Residential Zone
Acreage: .54 Acres (Approximately 23,522 ft²)
Request: Request for approval of an Conditional Use Permit in the R1-7 Residential zone to permit the construction of an accessory building / garage that exceeds the 15 foot height limitation and exceeds the 8% maximum lot coverage restriction.

BACKGROUND

This application is a request for approval of a Conditional Use Permit for approximately .54 acres located at 408 North 1360 East. The property is currently zoned R1-7 Residential. The applicant is requesting that a Conditional Use Permit be approved to permit the construction of an accessory building / garage that exceeds the 15 foot height limitation and exceeds the 8% maximum lot coverage restriction.

ANALYSIS

General Plan and Zoning. The Land Use Map of the General Plan calls for the Residential land use designation for the subject property. The property has been assigned the R1-7 Residential zoning classification, supporting approximately five dwelling units per acre. Properties to the east of the subject property are located within unincorporated Tooele County. Property to the south is the Oquirrh Hills Golf Course. Properties to the west and north of the subject property are zoned R1-7 Residential. Mapping pertinent to the subject request can be found in Exhibit “A” to this report.

Site Plan Layout. The applicant has submitted a site plan that proposes the construction of a large detached accessory structure located at the north east corner of the property. The structure in its proposed location meets all required building setbacks and maintains all easements.

Tooele City Code 7-14-6 prohibits accessory structures from covering more than 8% of the total lot area. In this case the structure is proposed to be 2091 square feet with an attached 288 square foot awning or patio cover for a total of 2,379 square feet. The lot itself is 23,511 square feet and 8% of 23,511 is 1,880 square feet. The proposed structure exceeds the 8% requirement by 499 square feet.

Tooele city Code 7-14-9 requires structures taller than 15 feet, measured at the mid-point of pitch between the peak and the eave obtain a Conditional Use Permit authorizing a taller structure. The code also provides the Planning Commission with the authority to grant an exception to the 8% lot coverage requirement.

Total building height measured at the mid-point of pitch would be between 16 and 17 feet. Total lot coverage by accessory structure using the proposed plans would be 10.1% of the total lot.

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

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

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

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

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

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

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

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

REVIEWS

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

1. This is a new subdivision and the majority of the lots within the subdivision are still un-developed. The lots is a .53 acre lot and the structure will occupy nearly 10% of the lot. Given the size of the lot and lack of neighboring homes in close proximity staff does not anticipate any issues with the proposed detached structure.

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

Public Works Review. The Tooele City Engineering Division has completed their review of the Conditional Use Permit submission and have issued a recommendation for approval for the request with the following comment:

1. Has no concerns with the proposed development.

Noticing. The applicant has expressed their desire to obtain the Conditional Use Permit on 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 William Gochis, application number P20-1304, subject to the following conditions:

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

This recommendation is based on the following findings:

1. The proposed development plans meet the intent, goals, and objectives of the Tooele City General Plan.
2. The proposed development plans meet the requirements and provisions of the Tooele City Code.
3. The proposed development plans will not be deleterious to the health, safety, and general welfare of the general public nor the residents of adjacent properties.
4. The proposed development conforms to the general aesthetic and physical development of the area.
5. The public services in the area are adequate to support the subject development.
6. There aren't many homes in close proximity to the parcel that would be in any way affected by the size or height of the structure.
7. The large lot (.53 acres) easily accommodates the larger size and height of the proposed structure.
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 William Gochis for the purpose of authorizing a detached accessory structure taller than 15 feet and exceeds the 8% lot coverage restriction on property located at 408 North 1360 East, application number P20-1304, based on the findings and subject to the conditions listed in the Staff Report dated January 4, 2021:”

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

Sample Motion for Denial – “I move we deny the Conditional Use Permit Request by William Gochis for the purpose of authorizing a detached accessory structure taller than 15 feet and exceeds the 8% lot coverage restriction on property located at 408 North 1360 East, application number P20-1304, based on the following findings:”

1. List findings of fact ...

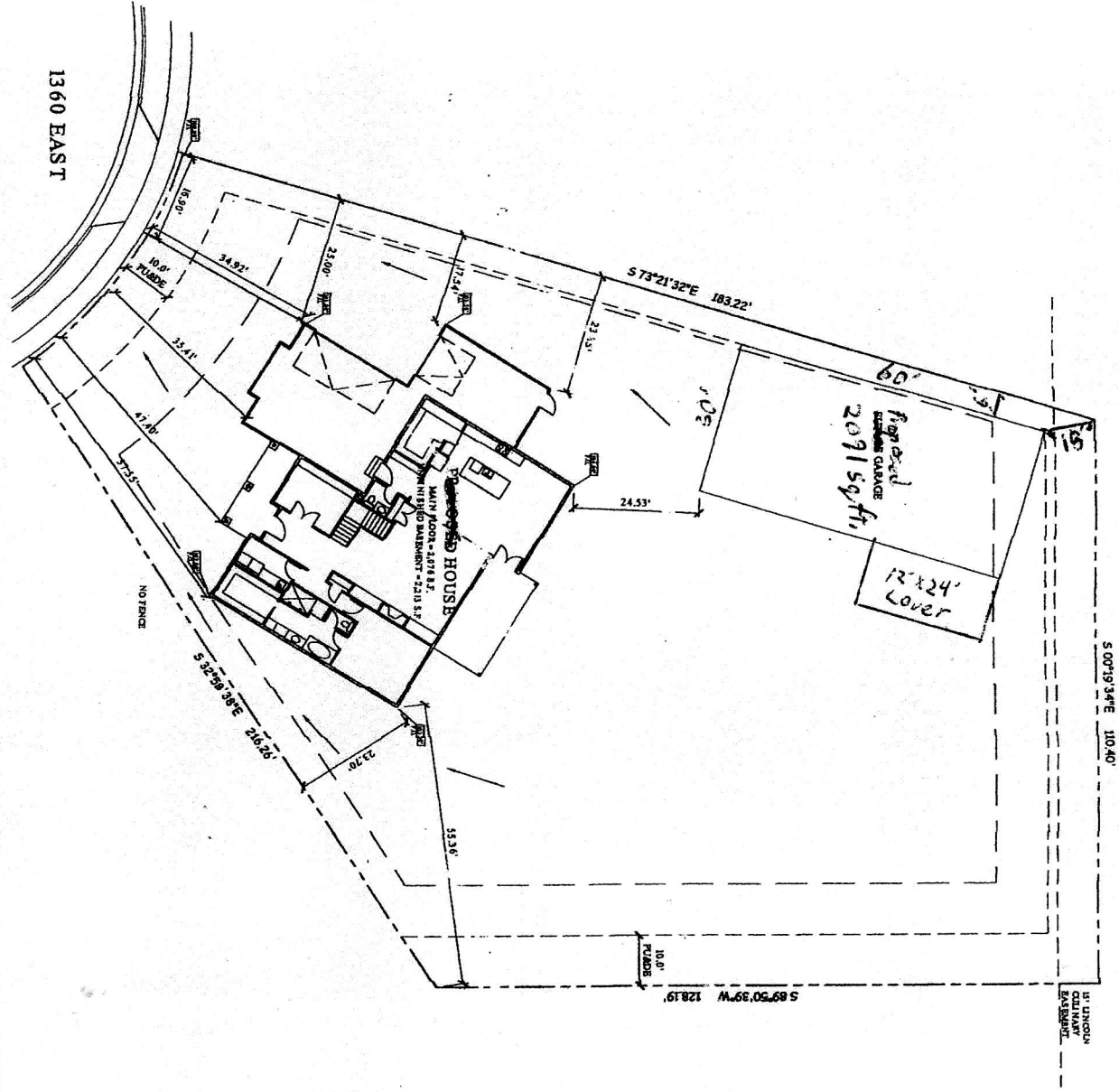
EXHIBIT A

**MAPPING PERTINENT TO THE
GOCHIS GARAGE CONDITIONAL USE PERMIT**

Gochis Garage Conditional Use



Current Zoning



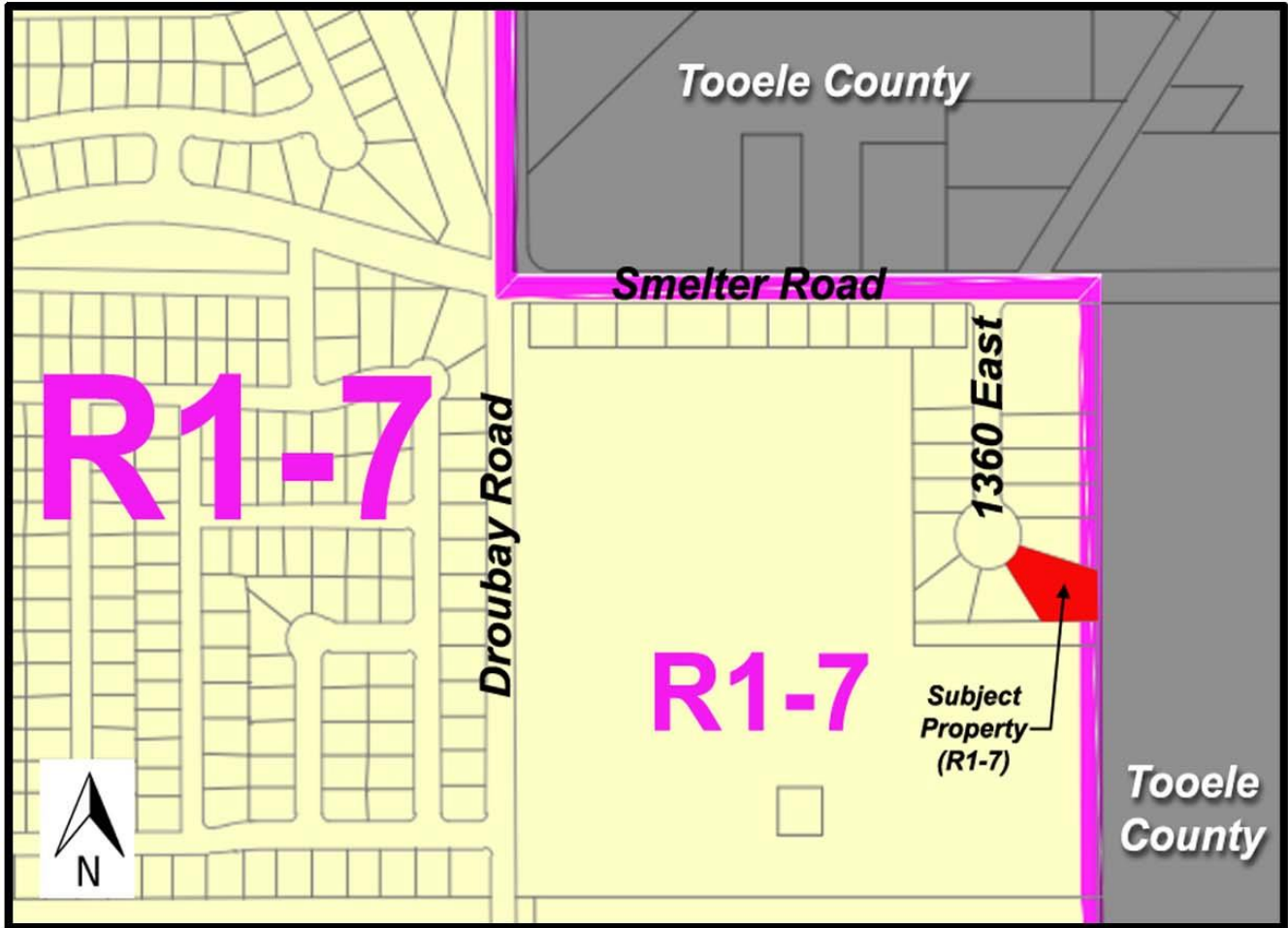
1360 EAST

SITE PLAN
SCALE: 1" = 10'-0"



<p>A-0</p>	<p>HERITAGE HOMES 408 NORTH 1360 EAST TOOELE, UTAH</p> <p>SITE PLAN</p>	<p><small>IT IS HEREBY ADVISED THAT THE INFORMATION CONTAINED ON THIS PLAN IS THE PROPERTY OF HERITAGE HOMES AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF HERITAGE HOMES. THIS PLAN IS THE PROPERTY OF HERITAGE HOMES AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF HERITAGE HOMES.</small></p>	<p>DATE: 10/10/10</p>	<p>SCALE: 1" = 10'-0"</p>
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Gochis Garage Conditional Use



Current Zoning

EXHIBIT B

APPLICANT SUBMITTED INFORMATION

Conditional Use Permit Application

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



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

Project Information					
Date of Submission: 12-21-2020		Current Zoning: R1-7		Parcel #(s): 21-027-0-0006	
Project Name: GOCHIS GARAGE				Acres: .54	
Project Address: 408 N 1360 E				Units: 1	
Project Description: RESIDENTIAL GARAGE 30'x60'x14' W/ COVER 12'x 24'x10'					
Current Use of Property: SINGLE FAMILY DWELLING					
Property Owner(s): WILLIAM GOCHIS			Applicant(s): WILLIAM GOCHIS		
Address: 1842 N. MOUNTAIN AIR LN			Address: 1842 N MOUNTAIN AIR LN		
City: TOOELE	State: UT	Zip: 84074	City: TOOELE	State: UT	Zip: 84074
Phone: 435-830-9264			Phone: 435-830-9264		
Contact Person: BILL GOCHIS			Address: 1842 N MOUNTAIN AIR LN		
Phone:			City:	State:	Zip:
Cellular: 435-830-9264	Fax:		Email: bgochis@msn.com		
Signature of Applicant: <i>William Gochis</i>					
Date 12-23-20					

*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 #:

BY:
BEEBE
 CONSTRUCTION
 297 E ANGEL ST.
 SANDY UT 84070
 (801) 641-7186

A GARAGE FOR:
 WILLIAM GOCHIS
 408 N. 1360 E.
 TOOELE, UT. 84074

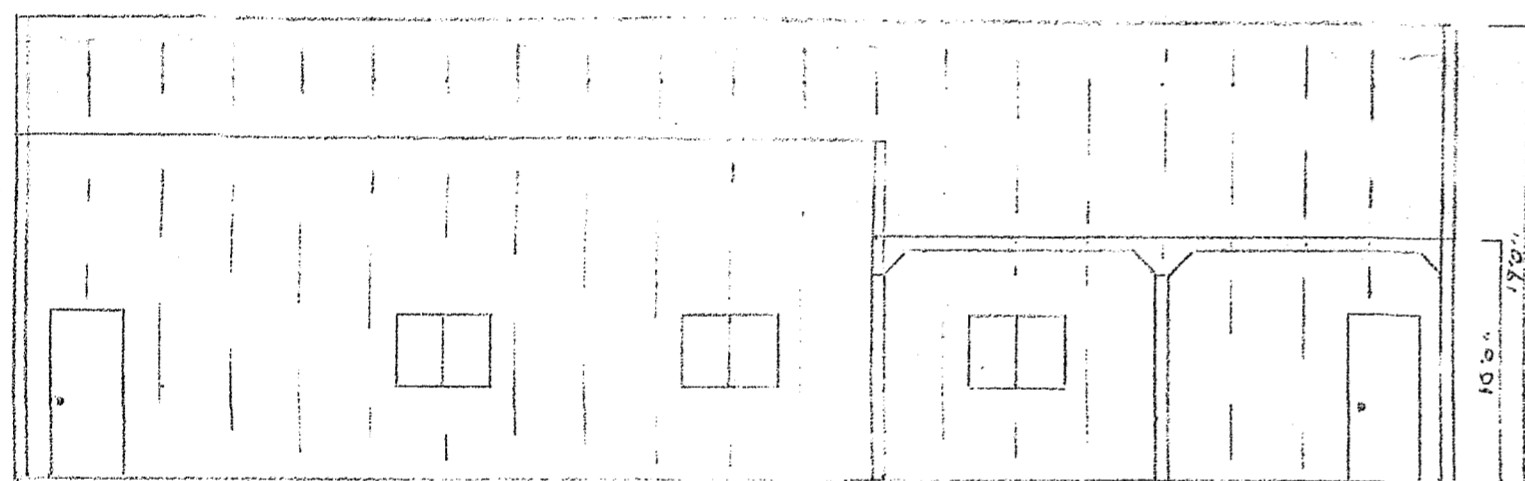
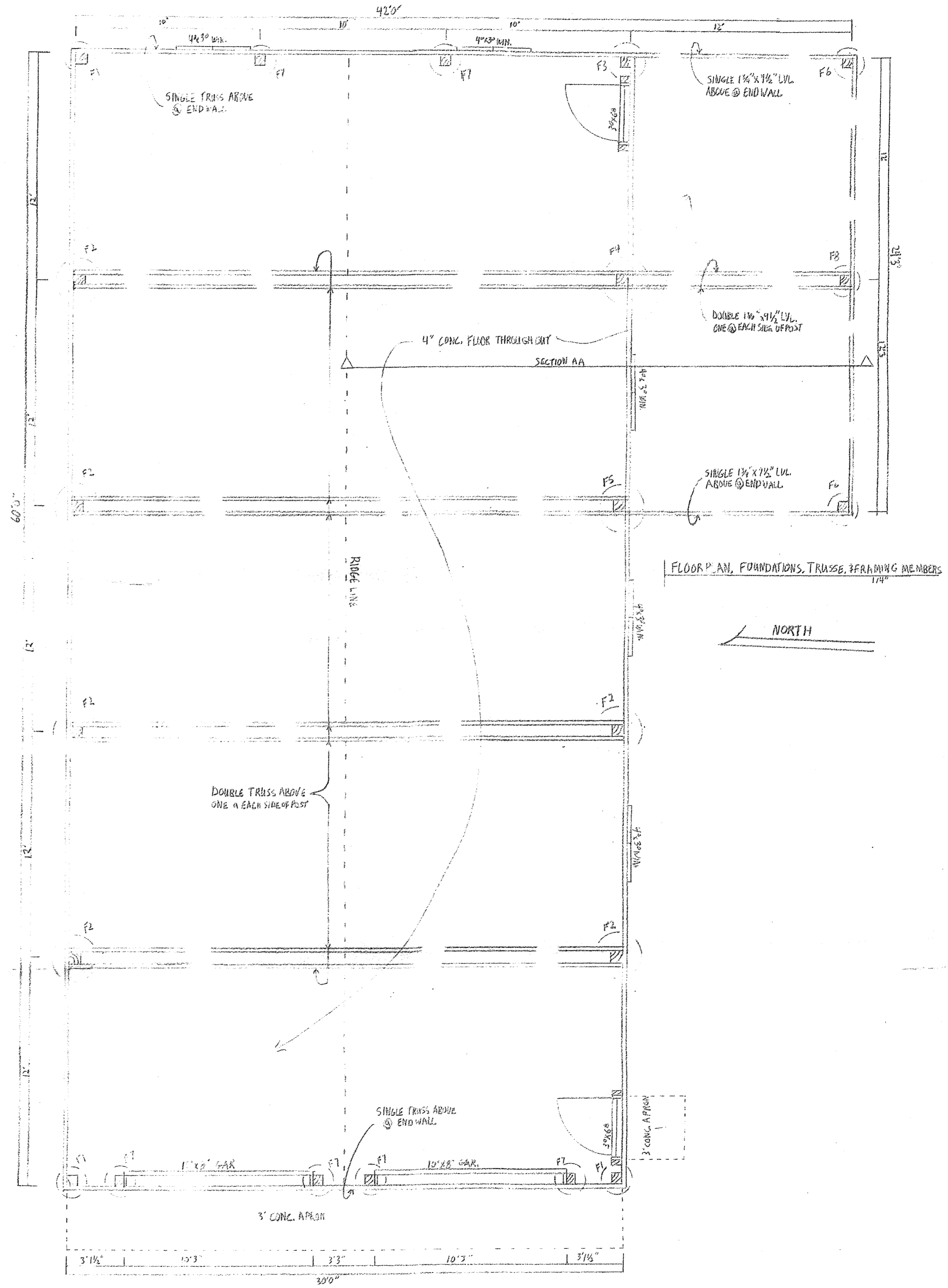
NOVEMBER 21, 2020
 GARAGE & COVER
 2091 SQ FT
 BY: KEVIN BEEBE
 PAGE 1 OF 2

COPYRIGHT 2020 BEEBE CONSTRUCTION

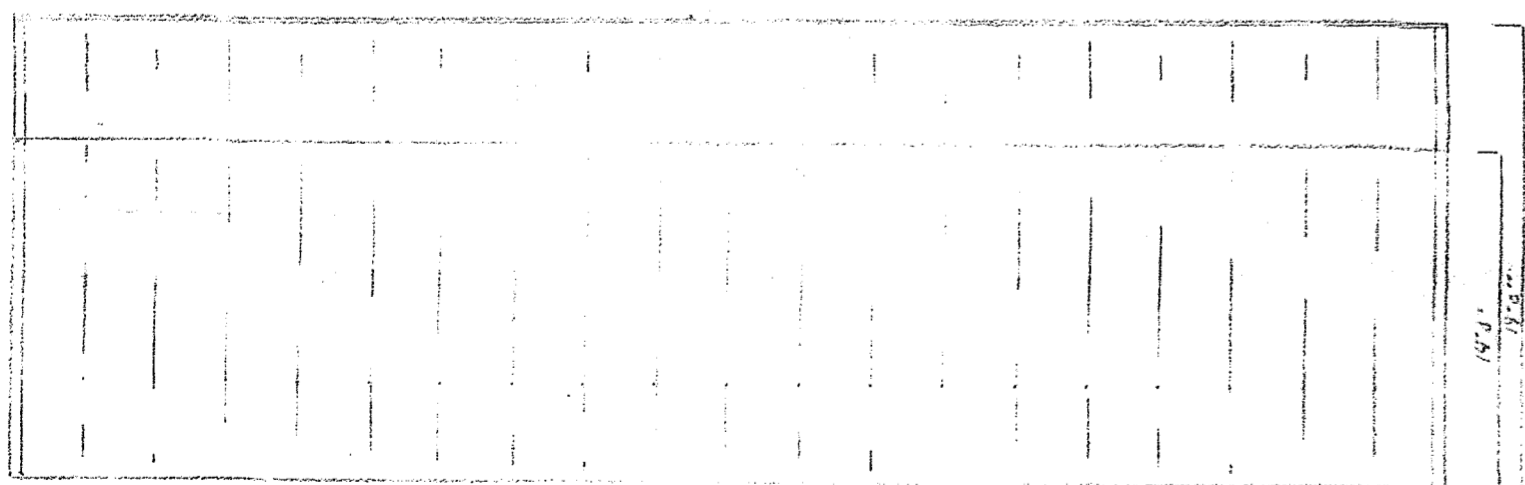
DESIGN CRITERIA

2015 INTERNATIONAL BUILDING CODE
 SEISMIC ZONE: TYPE D2
 WIND: 115 MPH FOR 3 SECOND GUSTS - EXPOSURE C
 SOIL: BEARING 1500 PSF
 LATERAL 150 PSF
 ROOF: LIVE 30 PSF
 DEAD 5 PSF
 TOTAL 35 PSF


POSTS: #1 HEM FIR ROUGH SAWN TREATED AWPA CCA .60 PSF C16 UC4B
 BASEBOARDS: #2 & BTR HEM FIR TREATED AWPA CA .21 PSF UC4A
 LUMBER: #2 & BTR HEM FIR OR DOUG FIR UNLESS OTHERWISE NOTED
 NAILS AND BOLTS INTO TREATED LUMBER: GALVANIZED
 STEEL ROOFING & SIDING "FABRAL" 29 GAUGE GRAND-RIB 3
 LVL BEAMS - "MICRO-LAM" 2.0 E - 2,900 Fb

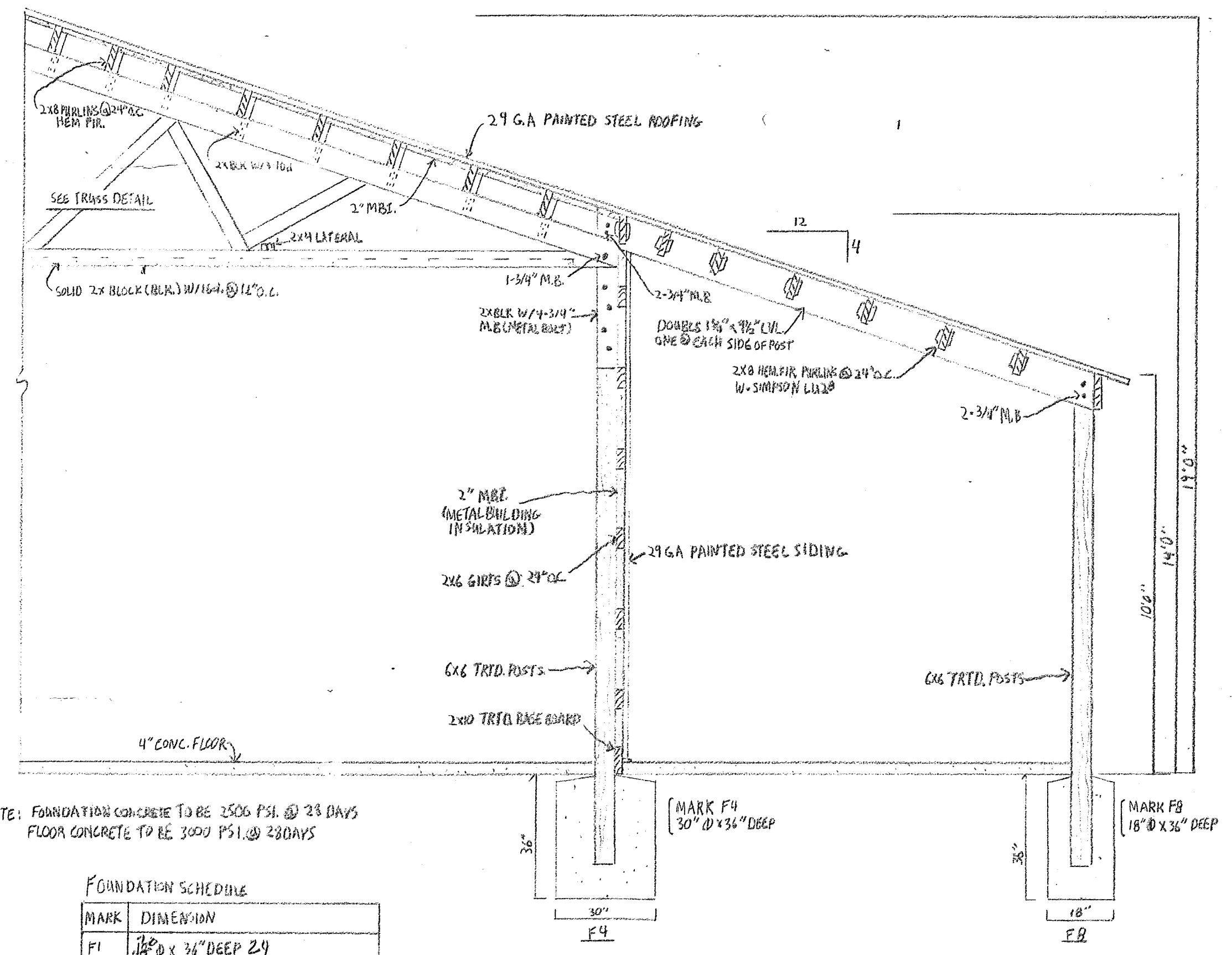
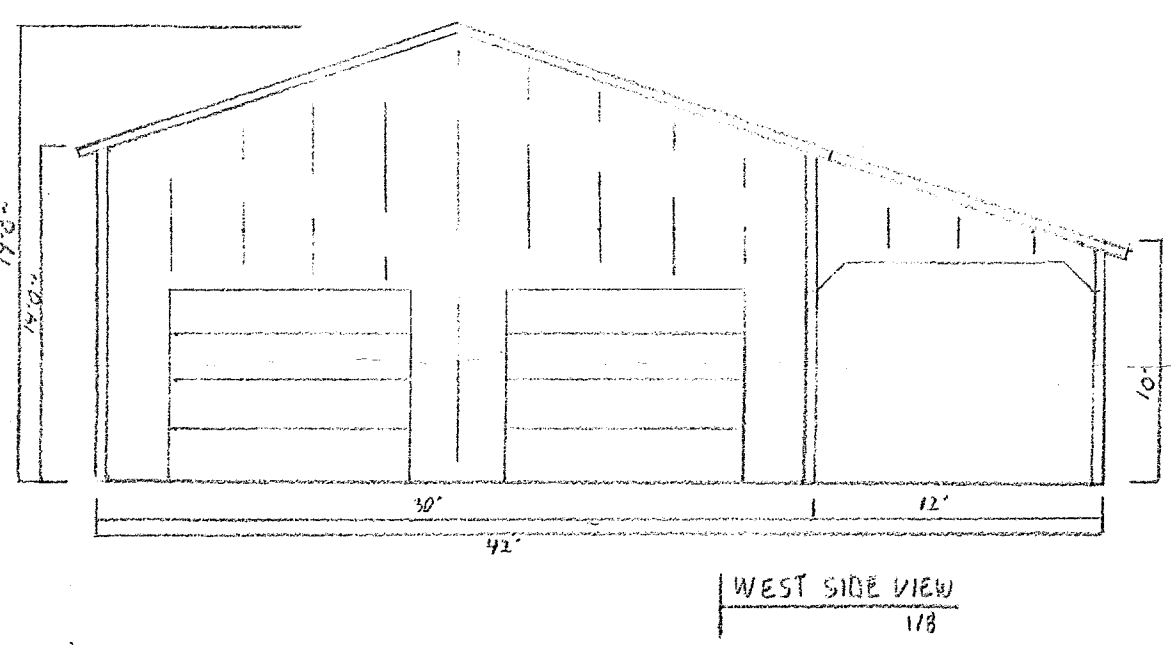
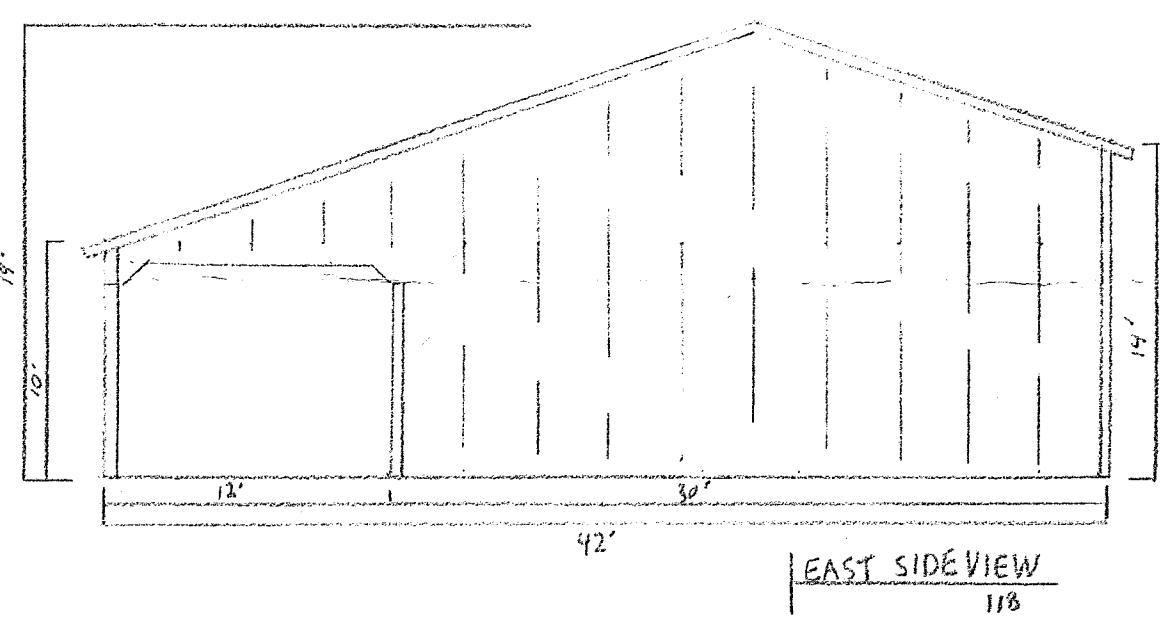


SOUTH SIDE VIEW
1/8"



NORTH SIDE VIEW
1/8"

BY:  CONSTRUCTION 297 E ANGEL ST. SANDY UT 84070 (801) 641-7186	A GARAGE FOR: WILLIAM COCHIS 408 N. 1360 E. TOOELE, UT. 84074 COPYRIGHT 2020 BEEBE CONSTRUCTION	NOVEMBER 21, 2020 GARAGE & COVER 2091 SQ FT BY: KEVIN BEEBE PAGE 2 OF 2
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NOTE: FOUNDATION CONCRETE TO BE 2500 PSI @ 28 DAYS
 FLOOR CONCRETE TO BE 3000 PSI @ 28 DAYS

FOUNDATION SCHEDULE

MARK	DIMENSION
F1	18" Ø x 36" DEEP 24
F2	36" Ø x 36" DEEP 30
F3	24" Ø x 36" DEEP 24
F4	30" Ø x 36" DEEP 30
F5	30" Ø x 36" DEEP 30
F6	18" Ø x 36" DEEP 24
F7	18" Ø x 36" DEEP 24
F8	18" Ø x 36" DEEP 24

SECTION AA
3/8"

Andrew Aagard

From: Andrew Aagard
Sent: Thursday, December 17, 2020 4:29 PM
To: 'beebebuildings@yahoo.com'
Subject: 408 North 1360 East Building Permit
Attachments: Conditional Use Permit Application Packet.pdf

Kevin,

I have completed my zoning review of the proposed accessory garage structure at 408 North 1360 East. There are two issues that need to be addressed before I can approve the plans and move them on to the plans examiner.

1. By ordinance you are only permitted 8% of the total lot size for accessory structure. The lot is 23,511 square feet. 8% of the lot is 1,880 square feet.
2. Building height for accessory structures in the R1-7 Residential zone is limited to 15 feet measured at the mid-point of pitch between the roof peak and eave. This plan measures close to 16 and a half feet at the mid point.

There is a resolution to these two issues. Tooele City ordinances does grant the Planning Commission with authority to grant variances to the building height requirement and the 8% lot coverage requirement but you have to submit a Conditional Use Permit application and have a hearing with the Planning Commission. Sounds awful but it really isn't that big of a deal. I have pasted the ordinances below for your reference and attached a CUP application for your use if you choose to do the CUP. Otherwise, the building will need to be reduced and brought into conformance with the City's code.

Thanks,

**ANDREW AAGARD, AICP
PLANNER**

(3) No accessory building or structure or group of accessory buildings or structures shall cover more than 8% of the total lot area, except as may be allowed by the provisions of 7-14-6(8).

(9) All detached garages and other accessory structures greater than 2,500 square feet in size or greater than 15 feet in height require a hearing before the Planning Commission and will be considered a Conditional Use in all residential zoning districts. The Planning Commission will determine and consider any adverse impacts the proposed building or structure may have on adjoining properties. Notice of the Planning Commission hearing shall be sent by regular mail to all adjoining property owners, the applicant being required to pay all the costs incurred by the City to provide the required notice. The Planning Commission shall approve or deny the conditional use application pursuant to Tooele City Code Chapter 7-5.

STAFF REPORT

January 4, 2021

To: Tooele City Planning Commission
Business Date: January 13, 2021

From: Planning Division
Community Development Department

Prepared By: Andrew Aagard City Planner / Zoning Administrator

Re: Houghton Detached Garage – Conditional Use Permit Request

Application No.: P20-1242
Applicant: Jerry & Susan Houghton
Project Location: 151 West 400 South
Zoning: R1-7 Residential Zone
Acreage: 1.49 Acres (Approximately 64,904 ft²)
Request: Request for approval of a Conditional Use Permit in the R1-7 Residential zone regarding authorization of a detached accessory structure that exceeds the 15 foot height requirement.

BACKGROUND

This application is a request for approval of a Conditional Use Permit for approximately 1.49 acres located at 151 West 400 South. The property is currently zoned R1-7 Residential. The applicant is requesting that a Conditional Use Permit be approved to allow for a detached accessory structure taller than the maximum 15 foot height requirement.

ANALYSIS

General Plan and Zoning. The Land Use Map of the General Plan calls for the Residential land use designation for the subject property. The property has been assigned the R1-7 Residential zoning classification, supporting approximately dwelling units per acre. All adjacent properties are zoned R1-7 Residential. Mapping pertinent to the subject request can be found in Exhibit “A” to this report.

Site Plan Layout. The applicant has submitted a site plan drawing showing the structure will be constructed south of the existing home in the southwest corner of the property. The structure will meet or exceed all building setback requirements for detached structures.

Tooele City Code 7-14-9 limits building height of detached accessory structures to 15 feet. Building height is measured at the mid point of pitch between the peak and eave of the roof. The City Code also authorizes an exception to this height requirement with a Conditional Use Permit granted by the Planning Commission.

The proposed structure is 26 feet at the peak and 16 feet at the eave placing the height of the building as measured at the mid point between the peak and the eave at approximately 21 feet. It should be noted that maximum building height in the R1-7 Residential zone is 35 feet at the mid-point of pitch for residential dwellings so at 21 feet the structure would be well below the maximum building height allowed in the zone.

In studying the aerial photograph it was determined that there are numerous large accessory structures in the area and in closer proximity to where the new structure is proposed to be constructed. The new structure would not be out of character to the area with 5 feet of additional height.

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

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

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

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

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

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

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

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

REVIEWS

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

1. Proposed building height measured at the mid-point of pitch will be about 21 feet.
2. There are at least six additional large detached accessory structures located on properties adjacent to the subject property.
3. The building will not be out of character with the surrounding properties.

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

Public Works Review. The Tooele City Public Works 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. Public Works has no issues with the proposed detached accessory structure.

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 Jerry & Susan Houghton, application number P20-1242, subject to the following conditions:

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

This recommendation is based on the following findings:

1. The proposed development plans meet the intent, goals, and objectives of the Tooele City General Plan.
2. The proposed development plans meet the requirements and provisions of the Tooele City Code.
3. The proposed development plans will not be deleterious to the health, safety, and general welfare of the general public nor the residents of adjacent properties.
4. The proposed development conforms to the general aesthetic and physical development of the area.
5. The public services in the area are adequate to support the subject development.
6. Proposed building height measured at the mid-point of pitch will be about 21 feet.
7. There are at least six additional large detached accessory structures located on properties adjacent to the subject property.
8. The building will not be out of character with the surrounding properties.

9. 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 Jerry & Susan Houghton, for the purpose of allowing additional building height for a detached accessory structure at 151 West 400 South, application number P20-1242, based on the findings and subject to the conditions listed in the Staff Report dated January 4, 2021:”

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

Sample Motion for Denial – “I move we deny the Conditional Use Permit Request by Jerry & Susan Houghton, for the purpose of allowing additional building height for a detached accessory structure at 151 West 400 South, application number P20-1242, based on the following findings:”

1. List findings of fact ...

EXHIBIT A

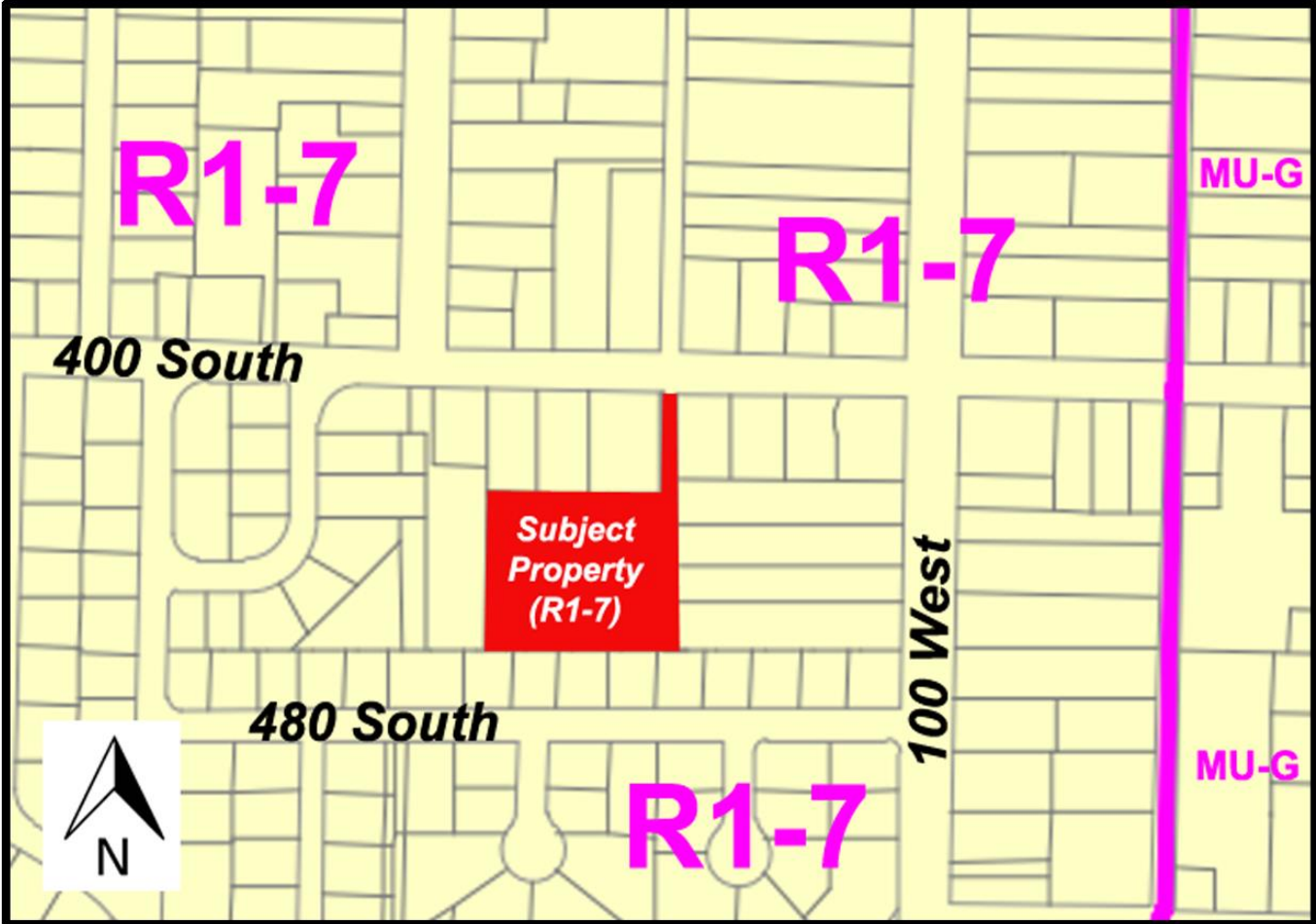
**MAPPING PERTINENT TO THE
HOUGHTON DETACHED GARAGE CONDITIONAL USE PERMIT**

Houghton Garage Conditional Use



Aerial View

Houghton Garage Conditional Use



Current Zoning

EXHIBIT B


APPLICANT SUBMITTED INFORMATION

Conditional Use Permit Application

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



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

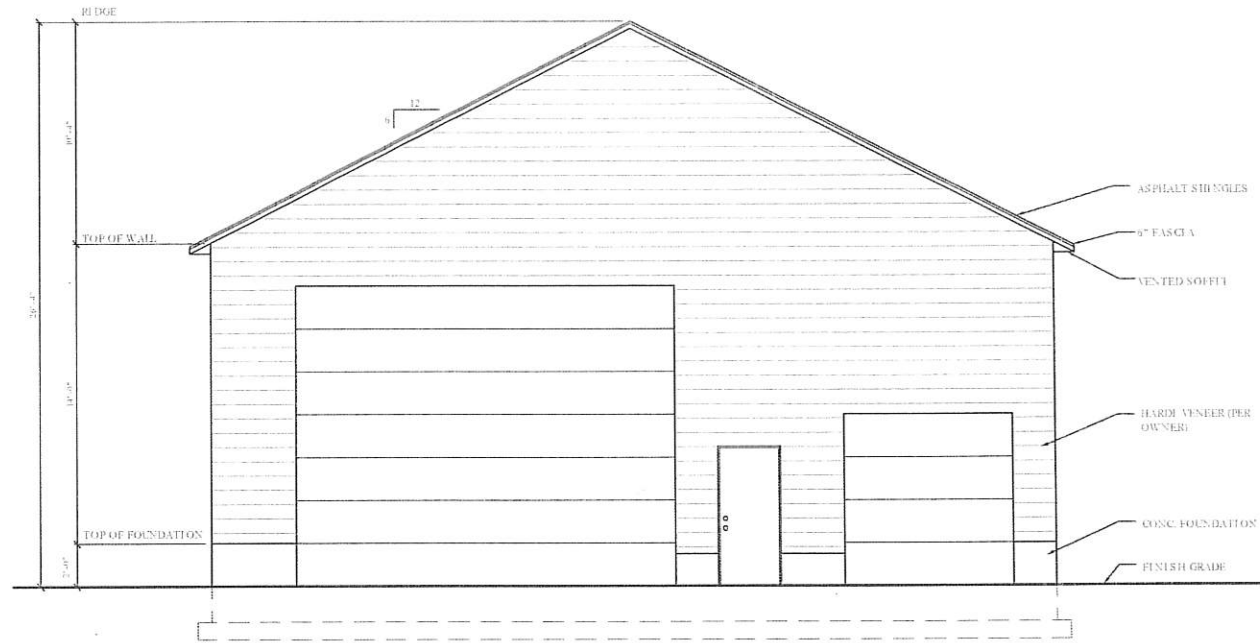
Project Information					
Date of Submission: 12/11/2020		Current Zoning:		Parcel #(s): P20-1242 02-063-0-0006	
Project Name:				Acres: 1.49	
Project Address: 151 W 400 S, TOOELE, UT 84074				Units:	
Project Description: DETACHED GARAGE					
Current Use of Property: RESIDENTIAL					
Property Owner(s): SUSAN S HOUGHTON JERRY M. HOUGHTON			Applicant(s): SAME		
Address: 151 W 400 S			Address:		
City: TOOELE	State: UT	Zip: 84074	City:	State:	Zip:
Phone: 435-830-3452			Phone:		
Contact Person: JERRY HOUGHTON			Address: 151 W 400 S		
Phone: 435-830-3452			City: TOOELE	State: UT	Zip: 84074
Cellular: 435 830 3452	Fax:	Email: jerry.houghton@gmail.com			
Signature of Applicant: 					
Date 12-11-2020					

*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.

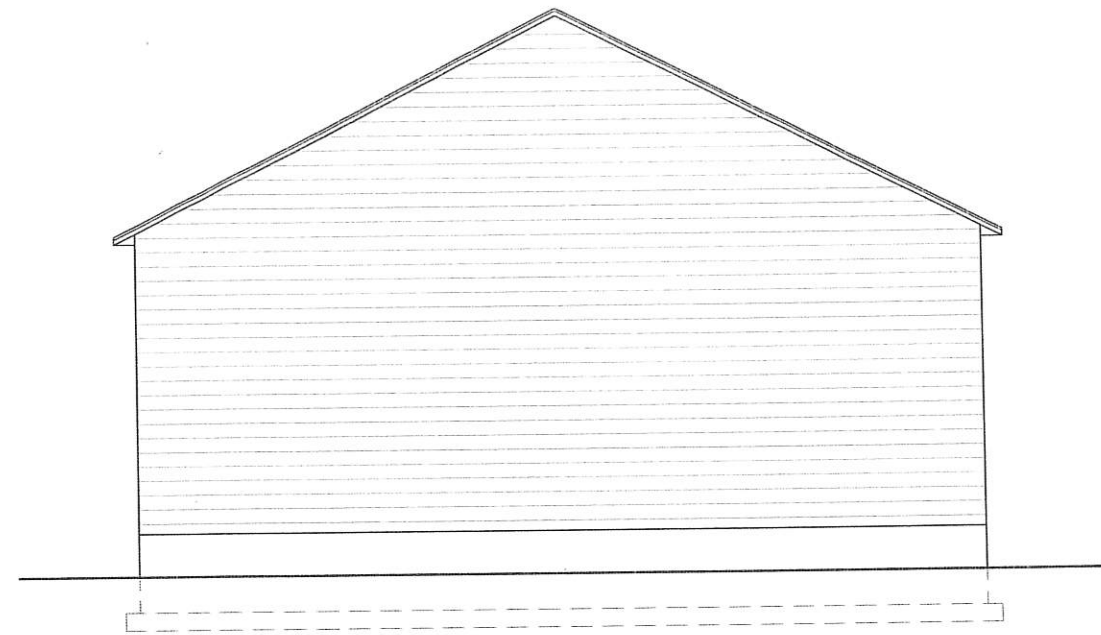
** By submitting this application form to the City, the applicant acknowledges that the above list is not exclusive and under no circumstances waives any responsibility or obligation of the Applicant and or his Agents from full compliance with City Master Plans, Code, Rules and or Regulations.

2201225

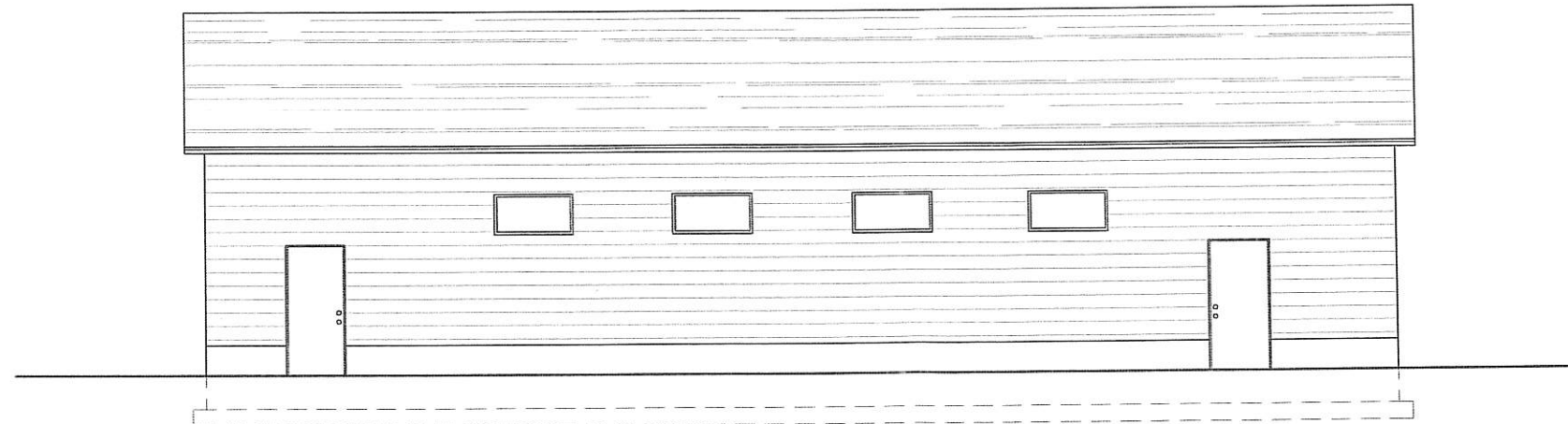
For Office Use Only			
Fee: 600 ⁰⁰ (213)	Received By: CA	Date Received: 12/11/20	Receipt #: 00388692



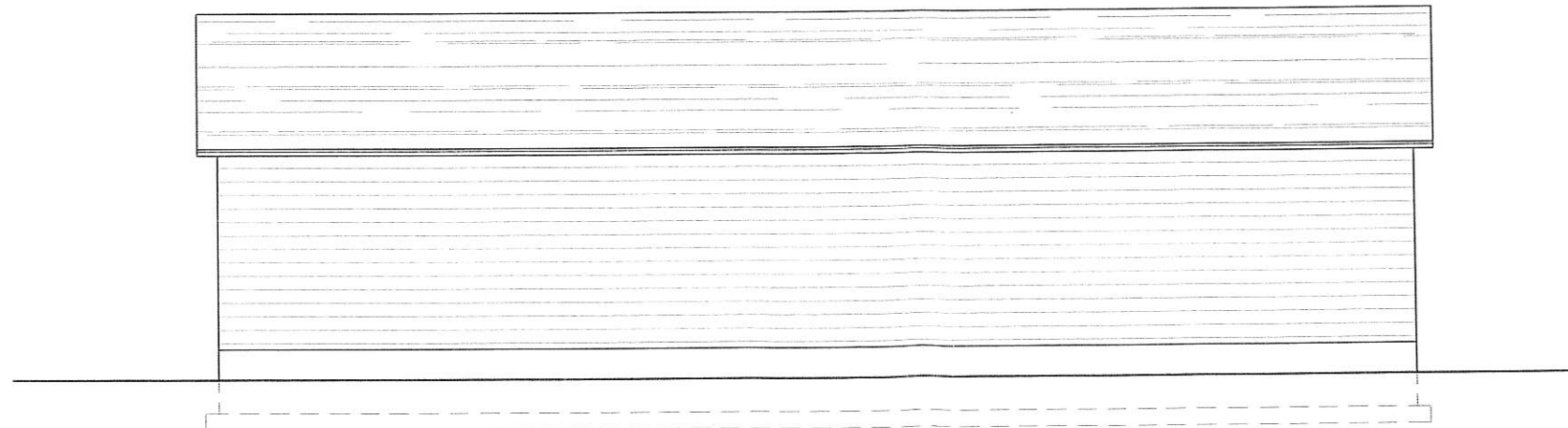
FRONT ELEVATION
SCALE: 1/4" = 1'-0"



REAR ELEVATION
SCALE: 1/4" = 1'-0"



SIDE ELEVATION
SCALE: 1/4" = 1'-0"



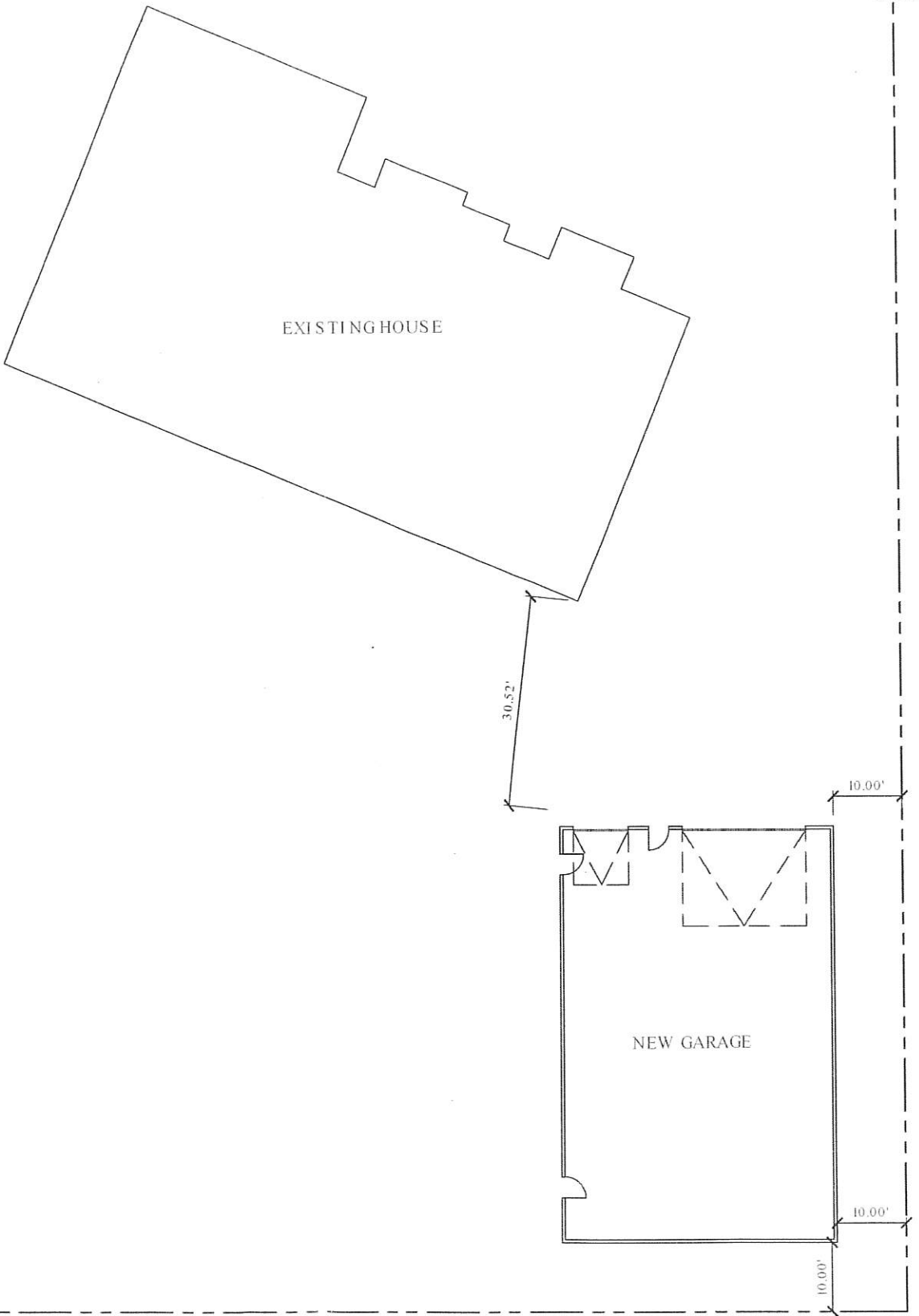
SIDE ELEVATION
SCALE: 1/4" = 1'-0"

- NOTES**
- FLASH AND CAULK ALL EXTERIOR WINDOWS AND DOORS AS PER MANUFACTURERS' INSTRUCTIONS.
 - PROVIDE 9" FLASHING AROUND ALL WINDOWS AND DOORS WITH SILL PLATE FLASHING.
- ATTIC VENTILATION**
- CONTINUOUS SOFFIT VENTS PROVIDED
 1.300 OF 2400 = 8 SQ. FT. OF ATTIC VENTS REQUIRED
 8 - 1 SQ. FT. ATTIC VENTS REQUIRED OR CONTINUOUS ROOF VENT

PLEASE CONTACT THE ORIGINAL CONTRACTOR TO CORRECT ANY DAMAGE TO THE ORIGINAL DRAWING OR TO BE RESPONSIBLE FOR ANY DAMAGE TO THE ORIGINAL DRAWING. THIS DRAWING IS NOT TO BE USED FOR CONSTRUCTION OR FOR ANY OTHER PURPOSE WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY DAMAGE TO THE ORIGINAL DRAWING OR FOR ANY OTHER DAMAGE TO THE ORIGINAL DRAWING. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY DAMAGE TO THE ORIGINAL DRAWING OR FOR ANY OTHER DAMAGE TO THE ORIGINAL DRAWING. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY DAMAGE TO THE ORIGINAL DRAWING OR FOR ANY OTHER DAMAGE TO THE ORIGINAL DRAWING.

HOUGHTON GARAGE
 151 WEST 400 SOUTH
 TOOELE, UTAH

ELEVATIONS



EXISTING HOUSE

NEW GARAGE



SITE PLAN
SCALE: 1" = 10'-0"

NOTES

1. ALL WORK IN PUBLIC WAY SHALL CONFORM TO APWA 2012 STANDARD PLANS AND SPECIFICATIONS
2. THE DRIVE APPROACH SHALL BE CONSTRUCTED AS PER APWA 225
3. PRIOR TO OCCUPANCY PERMIT BEING ISSUED, IT IS RECOMMENDED THAT ALL TRIP HAZARDS ON THE PUBLIC SIDEWALK BE REMOVED
4. PRIOR TO BEGINNING ANY WORK IN THE PUBLIC WAY, A LICENSED, BONDED AND INSURED CONTRACTOR MUST FIRST OBTAIN A PUBLIC WAY PERMIT FROM THE SLC ENGINEERING PERMITS OFFICE, AND PERHAPS A TRAFFIC CONTROL PERMIT FROM SLC TRANSPORTATION.

ENGINEER SEAL

REVISIONS

IT IS IMPORTANT FOR THE GENERAL CONTRACTOR TO UNDERSTAND THAT IT IS THE CONTRACTOR'S RESPONSIBILITY TO OBTAIN ALL NECESSARY PERMITS AND APPROVALS PRIOR TO THE START OF CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF SALT LAKE COUNTY AND THE STATE OF UTAH. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF SALT LAKE COUNTY AND THE STATE OF UTAH. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF SALT LAKE COUNTY AND THE STATE OF UTAH. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF SALT LAKE COUNTY AND THE STATE OF UTAH.

HOUGHTON GARAGE

151 WEST 400 SOUTH
TOOELE, UTAH

SITE PLAN

A-0

STAFF REPORT

January 4, 2021

To: Tooele City Planning Commission
Business Date: January 13, 2021

From: Planning Division
Community Development Department

Prepared By: Andrew Aagard City Planner / Zoning Administrator

Re: Broadway Heritage Village – Conditional Use Permit Request

Application No.: P20-1294
Applicant: America West Investments
Project Location: Approximately 145 North Broadway
Zoning: MU-B Mixed Use Broadway Zone
Acreage: 1.35 Acres (Approximately 58,370 ft²)
Request: Request for approval of a Conditional Use Permit in the MU-B Mixed Use Broadway zone regarding authorization of the use of “Dwelling, Multi-Family” for the subject properties.

BACKGROUND

This application is a request for approval of a Conditional Use Permit for approximately 1.35 acres located at approximately 145 North Broadway. The properties are currently zoned MU-B Mixed Use Broadway. The applicant is requesting that a Conditional Use Permit be approved to allow the use of “Dwelling, Multi-Family” for the subject properties.

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. The application takes in 7 parcels divided evenly on the west and east side of Broadway and south of Date Street. Properties located to the south, north and east are all zoned MU-B. Properties to the west are zoned R1-7 Residential. Mapping pertinent to the subject request can be found in Exhibit “A” to this report.

Site Plan Layout. The applicant has submitted a proposed site plan showing that the parcels can accommodate about 32 residential units. It must be emphasized that this application is not a site plan design review and the site plan was included in the packet for information and reference purposes only. The focus of this item should be on the use of the land for multi-family dwellings, to identify any potential impacts created by the land use, and assign conditions to mitigate those identified impacts. The site plan design review will come before the Planning Commission in the future.

The applicant is proposing to develop both the south west and south east corners of the intersection of Broadway and Date Street with four multi-family residential buildings containing eight residential units per building. Parking areas will be located at the rear of the buildings and will access the public alleys.

Although this is not a site plan approval the plans that are presented demonstrate 32 units on 1.35 acres of land. The MU-B zoning district defers to the MR-16 Multi-Family Residential zone for development standards such as density, setbacks, lots and so forth. At 16 units per acre these two properties would yield a unit count of 21 units instead of 32. Originally, the developer had hoped to gain a historical registration from the State of Utah for the old Broadway Hotel and incorporate that structure into the development with unlimited density for the

structure. However, the state historical certification was never achieved and the structure has since been destroyed by fire and has been demolished. With the old structure removed the entire property and development must comply with the standards of the MR-16 zoning district, including density.

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.
 6. The plan presented with this application does not conform to the density requirements of the MR-16 zoning district to which the MU-B zone refers for development standards. Because the site plan is being presented tonight for reference purposes only, approval of the CUP cannot be construed or misunderstood as an approval for a site plan that does not comply with the zoning. Therefore, the development shall be limited to 21 units instead of the 32 units showing on the presented site plans.

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 proposed development will still need to undergo a site plan design review application where the site plan, landscape plan, utility plans, building architecture and so forth are reviewed against the Tooele City Multi-Family Residential Design Guidelines as contained in Tooele City Code 7-11a.
2. The building exteriors will need to comply with the architectural standards of Tooele City Code 7-11a. The elevations included in the Conditional Use application have not been reviewed against the architectural design guidelines.

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

1. The Engineering Division has not issued any conditions of approval.

Public Works Division Review. The Tooele City Public Works 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. The Public Works Division has no issues with the proposed development plans.

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 America West Investments, application number P20-1294, 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.
6. Density shall follow the requirements of the MR-16 Multi-Family Residential zoning district and the development shall be limited to 21 residential units.

This recommendation is based on the following findings:

1. The proposed development plans meet the intent, goals, and objectives of the Tooele City General Plan.
2. The proposed development plans meet the requirements and provisions of the Tooele City Code.
3. The proposed development plans will not be deleterious to the health, safety, and general welfare of the general public nor the residents of adjacent properties.
4. The proposed development conforms to the general aesthetic and physical development of the area.
5. The public services in the area are adequate to support the subject development.
6. The findings of fact for this proposed Conditional Use Permit request have been identified and the conditions proposed are intended to mitigate the reasonably anticipated detrimental impacts, as required by Tooele City Code Section 7-5-4.

MODEL MOTIONS

Sample Motion for Approval – “I move we approve the Conditional Use Permit Request by America West Investments to authorize the use of “Dwelling, Multi-Family” for the properties located at the southwest and southeast corners of the intersection of Broadway and Date Street, application number P20-1294, based on the findings and subject to the conditions listed in the Staff Report dated January 4, 2021:”

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

Sample Motion for Denial – “I move we deny the Conditional Use Permit Request by America West Investments to authorize the use of “Dwelling, Multi-Family” for the properties located at the southwest and southeast corners of the intersection of Broadway and Date Street, application number P20-1294, based on the following findings:”

1. List findings of fact ...

EXHIBIT A

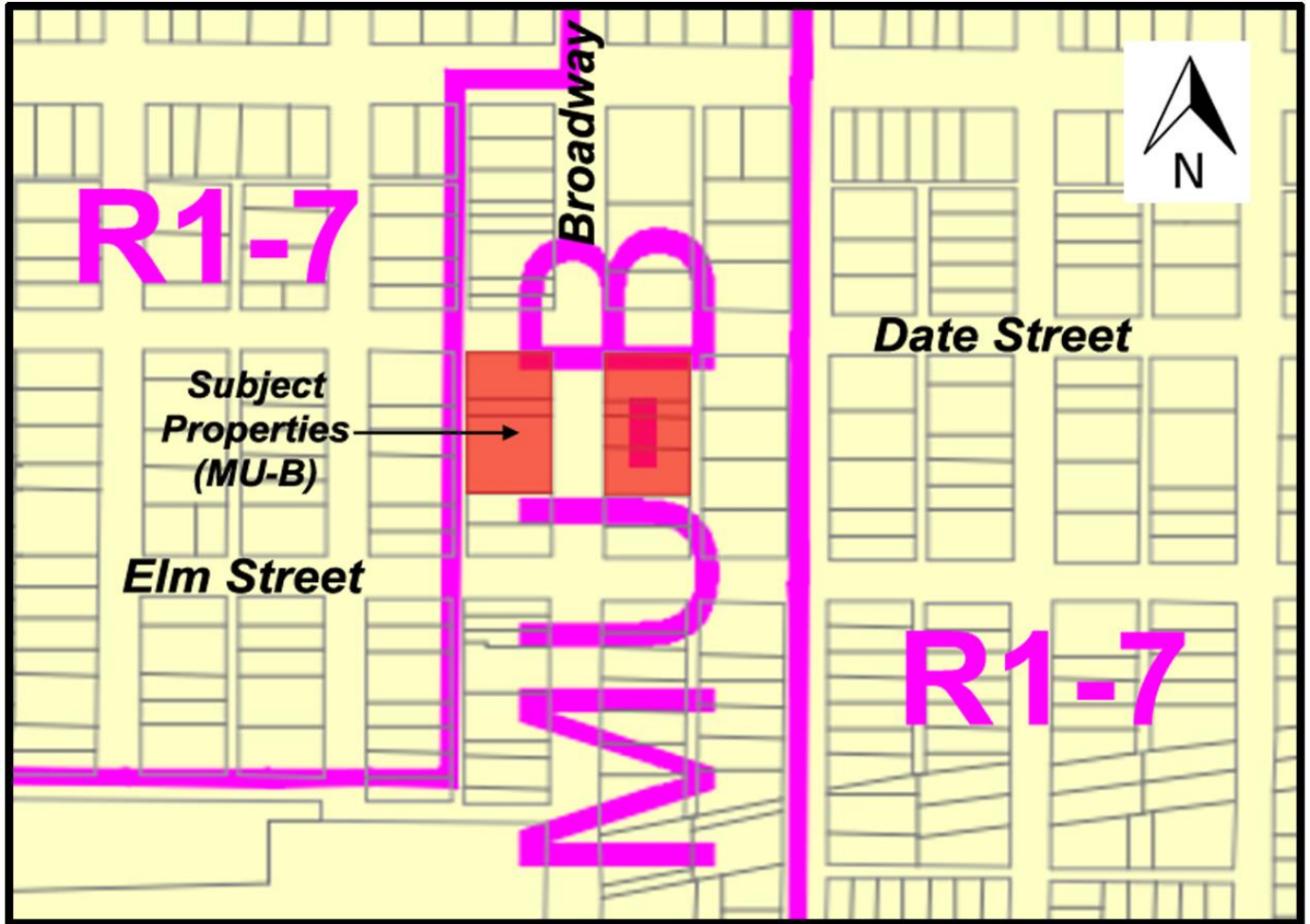
**MAPPING PERTINENT TO THE
BROADWAY HERITAGE VILLAGE CONDITIONAL USE PERMIT**

Broadway Heritage Village Conditional Use



Aerial View

Broadway Heritage Village 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: 12/23/2020		Current Zoning: BU-P		Parcel #(s): Blocks 139,140 Plat C	
Project Name: Broadway Heritage Village				Acres: 1.34 total	
Project Address: 145 North Broadway, Tooele, Utah 84074				Units: 32	
Project Description: New multi-family residential apartments for rent					
Current Use of Property: Vacant with minimal storage					
Property Owner(s): AmericaWest Investments			Applicant(s): American West Investments		
Address: 68 Maximo Way			Address: 68 Maximo Way		
City: Palm Desert	State: Ca.	Zip: 92260	City: Palm Desert	State: Ca.	Zip: 92260
Phone: 801-783-6440			Phone: 801-783-6440		
Contact Person: Kevin M. Peterson			Address:		
Phone:			City:	State:	Zip:
Cellular: 801-783-6440	Fax: N/A		Email: kmpeterson@america-west.net		
Signature of Applicant: 			Date: 12-18-2020		

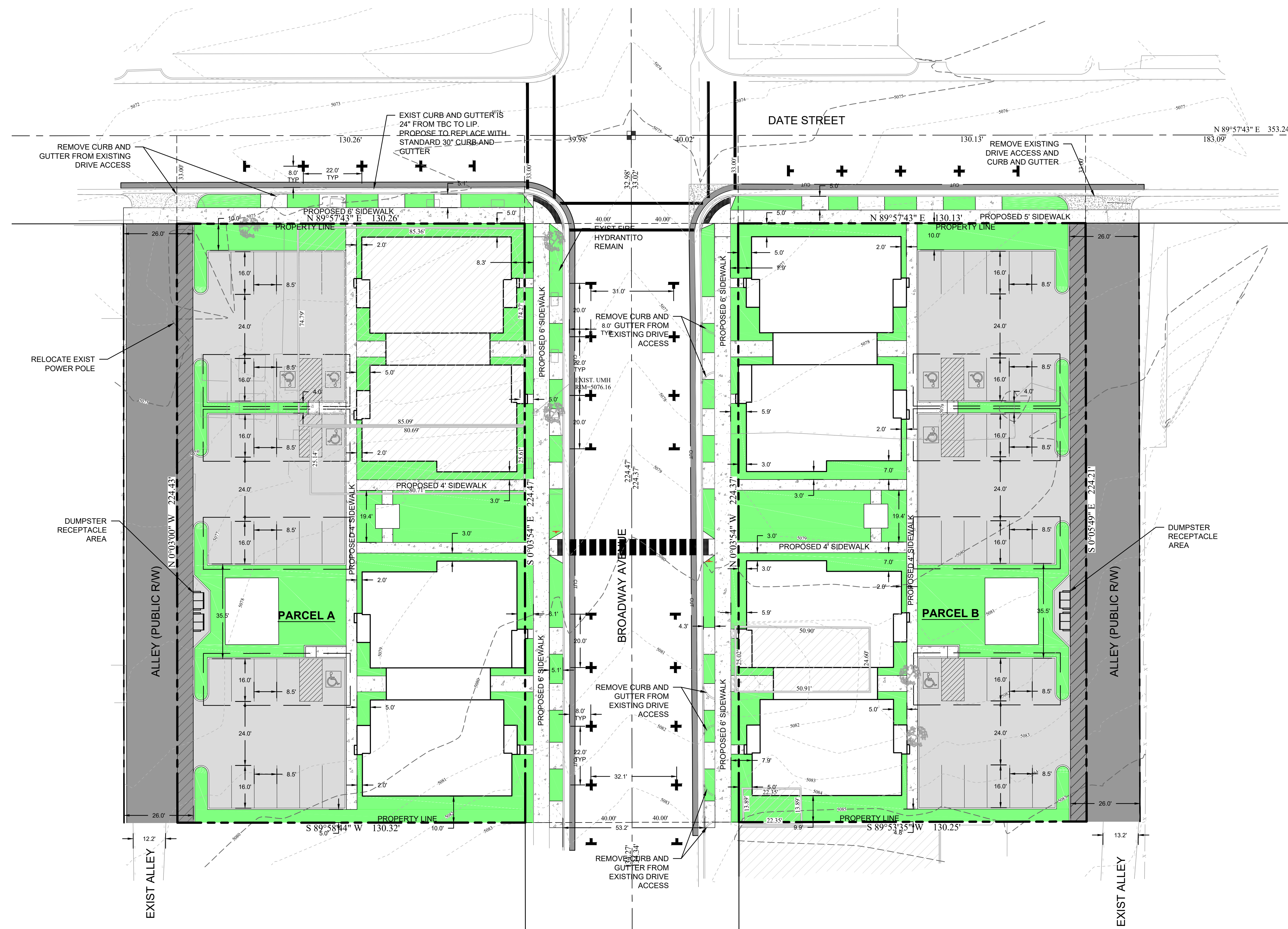
*The application you are submitting will become a public record pursuant to the provisions of the Utah State Government Records Access and Management Act (GRAMA). You are asked to furnish the information on this form for the purpose of identification and to expedite the processing of your request. This 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 #:

FILENAME: O:\Dubbe Moulder Architects\Broadway Avenue Tooole\engineering\Design\Schematic Plan.dwg
 TAB: Schematic
 PLOT DATE AND TIME: 12/9/2020 12:08 PM

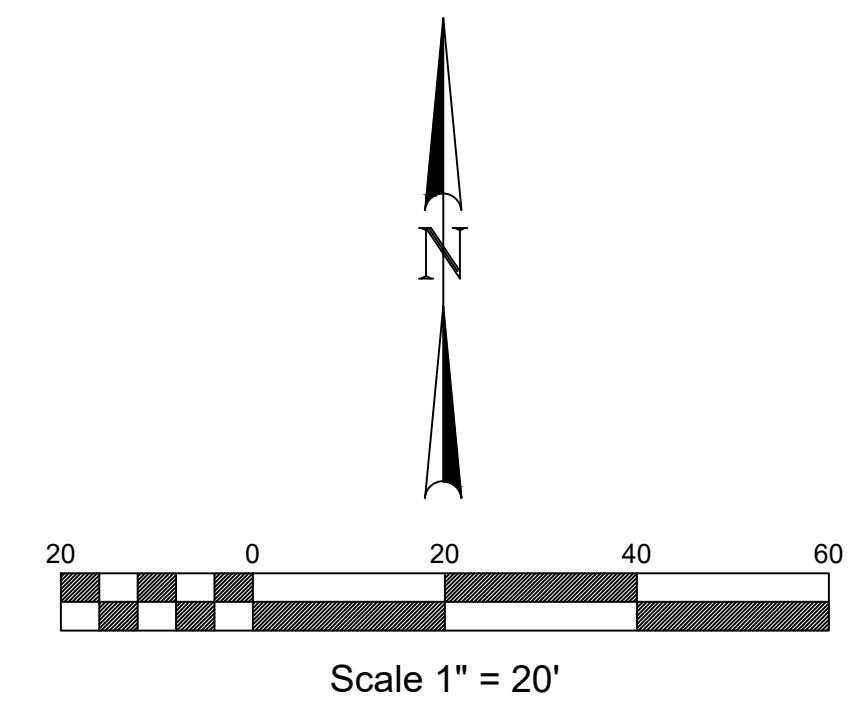
CALL BEFORE YOU DIG.
 IT'S FREE &
 IT'S THE LAW
 1-800-662-4111
 208-2100
 1000 N. GARDEN BLVD.
 SALT LAKE CITY, UT 84103



PARKING COUNTS	
DEVELOPMENT	
4 NEW BUILDINGS	
2 FLOORS PER BUILDING	
4 DWELLING UNITS PER FLOOR	
-TOTAL UNITS	32 UNITS
REQUIREMENTS	
2 STALLS PER UNIT	
PROVIDED	
STANDARD STALLS	58 STALLS
ADA STALLS	8 STALLS
"ON STREET" STALLS	20 STALLS
-TOTAL STALLS	86 STALLS

LAND USE (JUST PARCEL AREAS)	
DEVELOPMENT	
PARCEL A AREA	0.67 AC
PARCEL B AREA	0.67 AC
-TOTAL AREA	1.34 AC
IMPERMEABLE AREA (PARKING, SIDEWALKS, BUILDING, ETC)	
PARCEL A	0.52 AC
PARCEL B	0.52 AC
-TOTAL AREA	1.04 AC
OPEN SPACE	
PARCEL A	0.15 AC
PARCEL B	0.15 AC
-TOTAL AREA	0.30 AC (22.4%)

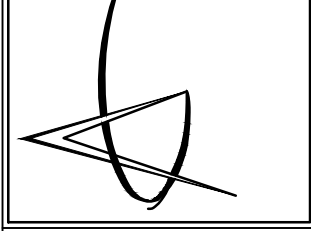
LEGEND	
	PRIVATE ASPHALT
	PUBLIC ASPHALT
	CONCRETE SIDEWALK
	OPEN SPACE
	PUBLIC RIGHT OF WAY DEDICATION



**NOT FOR CONSTRUCTION
 FOR REVIEW ONLY**

**BROADWAY HERITAGE VILLAGE
 BROADWAY AVENUE & DATE STREET
 TOOOLE, UTAH
 SCHEMATIC SITE PLAN**

231 West 800 South Salt Lake City, Utah 84101
Ward Engineering Group
 Planning Engineering Surveying



CLIENT: DUBBE MOULDER ARCHITECTS
 DWG: SCHEMATIC PLAN DWG
 JOB NO: 4802-DUBBED1-20
 PLEASE SCALE THE DRAWING. DIMENSIONS IN RED ARE PRELIMINARY AND NOTES TAKE PRECEDENCE.

DRAWN BY: AMD
 DESIGN BY: AMD
 CHECKED BY: BHT
 DATE: 12/23/2020

REVISIONS

SHEET

SP-01

PH: 801-487-8040

STAFF REPORT

January 5, 2021

To: Tooele City Planning Commission
Business Date: January 13, 2021

From: Planning Division
Community Development Department

Prepared By: Andrew Aagard City Planner / Zoning Administrator

Re: Sherwin Williams – Conditional Use Permit Request

Application No.: P20-1249
Applicant: Scott Smith, representing Belterra Tooele, LLC
Project Location: 2347 North 400 East
Zoning: GC General Commercial Zone
Acreage: .71 Acres (Approximately 30,927 ft²)
Request: Request for approval of a Conditional Use Permit in the GC General Commercial zone authorizing the use of “Retail Store.”

BACKGROUND

This application is a request for approval of a Conditional Use Permit for approximately .71 acres located at approximately 2347 North 400 East. The property is currently zoned GC General Commercial. The applicant is requesting that a Conditional Use Permit be approved to allow for the development of the currently vacant site as a “Retail Store,” namely a Sherwin Williams paint and paint supplies retail store.

ANALYSIS

General Plan and Zoning. The Land Use Map of the General Plan calls for the Commercial land use designation for the subject property. The property has been assigned the GC General Commercial zoning classification. Properties to the north of the subject property are zoned GC General Commercial as are properties to the south and to the west on the adjacent side of SR-36. Properties to the east are zoned IS Industrial Service. All uses in the surrounding areas are either commercial, office, or medical. Mapping pertinent to the subject request can be found in Exhibit “A” to this report.

The property also rests in the North Gateway Overlay zone. This overlay places encourages special standards on properties that develop therein. Some of those standards are that parking areas be located behind the buildings, a greater emphasis on building architecture and frontage landscaping to help make the entrance into Tooele City more aesthetically pleasing. The overlay zone also requires that the Planning Commission approve site plan development.

All retail stores larger than 3000 square feet are permitted in the GC General Commercial zone but require a Conditional Use Permit. The proposed Sherwin Williams store will occupy .71 acres and will be 4000 square feet.

Site Plan Layout. The applicant has provided a site plan showing how the property will be developed. It should be emphasized that this application is not a site plan application. The site plan is provided as a reference and could be subject to change during the site plan review process. The purpose of this application is to authorize the use of the property as a “Retail Store” and to identify any potential issues that may be caused by the development and to establish conditions to mitigate those issues. Therefore, this report will not delve into the particulars of the site plan as the site plan will presented at a future meeting.

Subdivision Layout. The Sherwin Williams will be constructed on Lot 1B of the Strawberry Water Minor Subdivision. The Popeye's Chicken currently occupies Lot 1A. Access into the site will be shared with the Popeye's Chicken and will be preserved. The subdivision plat does include a 26 foot by 65 foot ingress and egress easement guaranteeing use by both properties.

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. The property lies within the North Gateway Overlay zone and thus requires Site Plan Design Review approval from the Planning Commission.
2. All properties within the area bear commercial or industrial zoning designations and are utilized as commercial, office and medical.
3. The access into the parcel is an access that must be shared with the Popeye's Chicken on parcel 1A of the Strawberry Water Minor Subdivision.

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

Public Works Review. The Tooele City Public Works 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. The Public Works Division has no concerns with the proposed development at this site.

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 Scott Smith, representing Belterra Tooele, LLC, application number P20-1249, 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 Master Plan.
2. The proposed development plans meet the intent, goals, and objectives of the Tooele City General Plan.
3. The proposed development plans meet the requirements and provisions of the Tooele City Code.
4. 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.
5. The proposed development conforms to the general aesthetic and physical development of the area.
6. The public services in the area are adequate to support the subject development.
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 Scott Smith, representing Belterra Tooele, LLC to authorize the use of “Retail Store” at 2347 North 400 East, application number P20-1249, based on the findings and subject to the conditions listed in the Staff Report dated January 5, 2021:”

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

Sample Motion for Denial – “I move we deny the Conditional Use Permit Request by Scott Smith, representing Belterra Tooele, LLC to authorize the use of “Retail Store” at 2347 North 400 East, application number P20-1249, based on the following findings:”

1. List findings of fact ...

EXHIBIT A

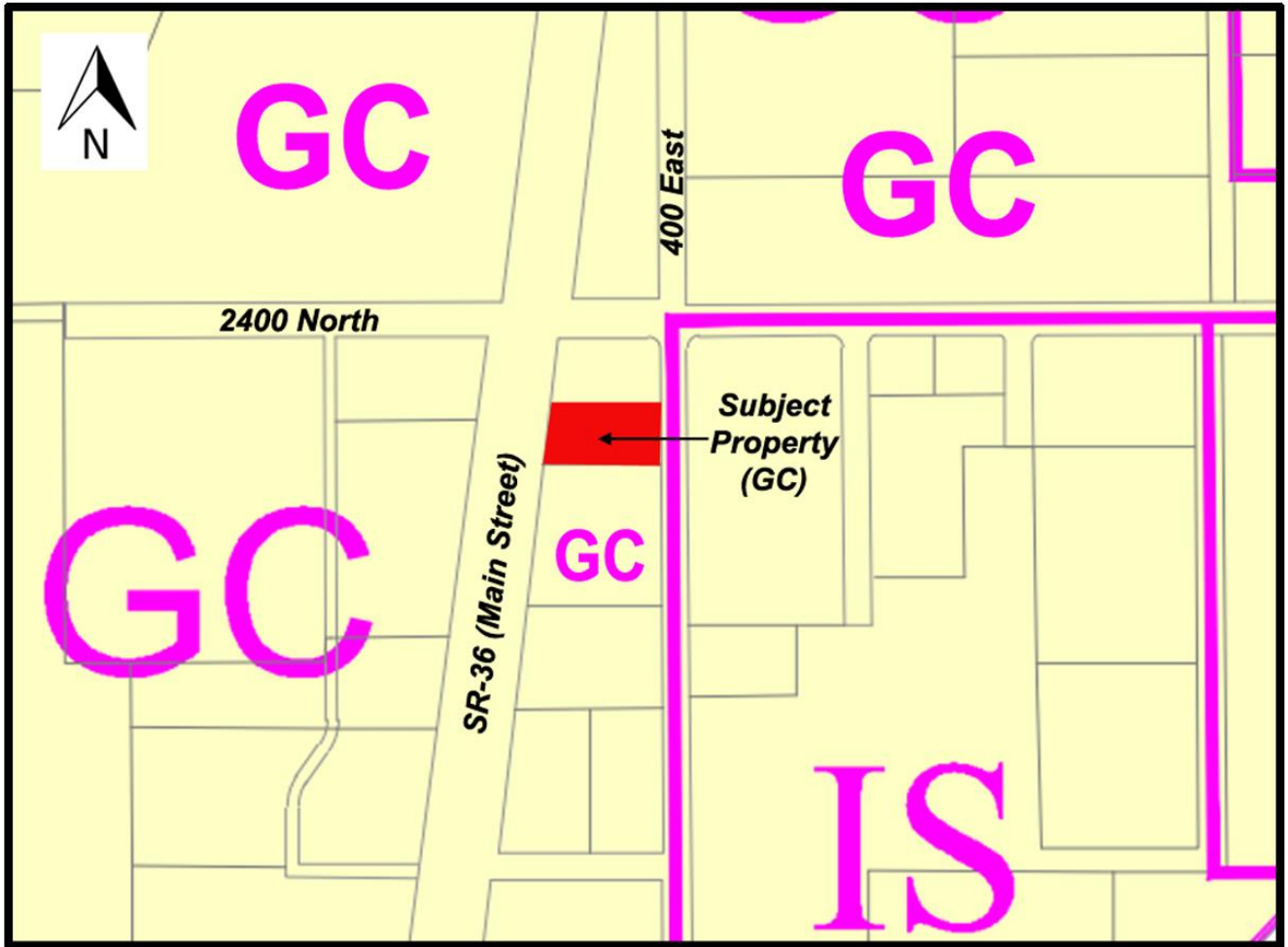
**MAPPING PERTINENT TO THE
SHERWIN WILLIAMS CONDITIONAL USE PERMIT**

Sherwin Williams Conditional Use



Aerial View

Sherwin Williams Conditional Use



Aerial View

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: December 14, 2020		Current Zoning: GC - General Commercial		Parcel #(s): 20-084-0-001B	
Project Name: Sherwin Williams				Acres: 0.71	
Project Address: 2347 N 400				Units:	
Project Description: New ground up 4000 SF Sherwin Williams					
Current Use of Property: Vacant land					
Property Owner(s): NUJAC UT, LLC			Applicant(s): Belterra Tooele, LLC		
Address: 13206 S Belle Vista Court			Address: 728 Shades Creek Parkway, Suite 130		
City: Draper	State: Utah	Zip: 84020	City: Birmingham	State: Alabama	Zip: 35209
Phone:			Phone:		
Contact Person: Scott Smith			Address: 728 Shades Creek Parkway, Suite 130		
Phone: 205-281-5053			City: Birmingham	State: Alabama	Zip: 35213
Cellular:		Fax:	Email:		
Signature of Applicant 					Date 12.10.20

*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 #:

STAFF REPORT

January 5, 2021

To: Tooele City Planning Commission
Business Date: January 13, 2021

From: Planning Division
Community Development Department

Prepared By: Andrew Aagard City Planner / Zoning Administrator

Re: Classic Car Co. – Conditional Use Permit Request

Application No.: P20-959
Applicant: Fiore Belmonte
Project Location: 30 West 100 South
Zoning: GC General Commercial Zone
Acreage: .27 Acres (Approximately 11,716 ft²)
Request: Request for approval of a Conditional Use Permit in the GC General Commercial zone regarding authorization of the use of “Automobile Sales and Rental.”

BACKGROUND

This application is a request for approval of a Conditional Use Permit for approximately .27 acres located at 30 West 100 South. The property is currently zoned GC General Commercial. The applicant is requesting that a Conditional Use Permit be approved to allow the use of “Automobile Sales and Rental” to occur at the property.

At the November 12, 2020 Planning Commission meeting it was explained that the applicant had some outstanding code enforcement issues on another property that he owns and operates. The Planning Commission voted to table the item until those enforcement issues have been resolved. Tooele City’s Code Enforcement Officer has confirmed that those issues have been resolved and has provided written clarification that has been included in the packet.

ANALYSIS

General Plan and Zoning. The Land Use Map of the General Plan calls for the Commercial land use designation for the subject property. The property has been assigned the GC General Commercial zoning classification. Properties to the west, north and east are zoned GC General Commercial. Properties to the south are zoned MU-G Mixed Use General. Mapping pertinent to the subject request can be found in Exhibit “A” to this report.

Analysis. The applicant has submitted this application for a Conditional Use in order to authorize the sale of classic vehicles at the site. This is an existing building previously being utilized as an events center. There are currently 12 parking stalls on the north side of the building and another 7 parking stalls on the south side of the building. The applicant has indicated that there will be vehicle display on the south side of the building, under the large awning.

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

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

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

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

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

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

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

REVIEWS

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

Noticing. The applicant has expressed their desire to obtain a 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 Fiore Belmonte, application number P20-959, subject to the following conditions:

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

This recommendation is based on the following findings:

1. The proposed development plans meet the intent, goals, and objectives of the Tooele City General Plan.
2. The proposed development plans meet the requirements and provisions of the Tooele City Code.
3. The proposed development plans will not be deleterious to the health, safety, and general welfare of the general public nor the residents of adjacent properties.
4. The proposed development conforms to the general aesthetic and physical development of the area.
5. The public services in the area are adequate to support the subject development.
6. The findings of fact for this proposed Conditional Use Permit request have been identified and the conditions proposed are intended to mitigate the reasonably anticipated detrimental impacts, as required by Tooele City Code Section 7-5-4.

MODEL MOTIONS

Sample Motion for Approval – “I move we approve the Conditional Use Permit Request by Fiore Belmonte to authorize the use of “Automobile Sales and Rental” at 30 West 100 South, application number P20-959, based on the findings and subject to the conditions listed in the Staff Report dated November 4, 2020:”

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

Sample Motion for Denial – “I move we deny the Conditional Use Permit Request by Fiore Belmonte to authorize the use of “Automobile Sales and Rental” at 30 West 100 South, application number P20-959, based on the following findings:”

1. List findings of fact ...

EXHIBIT A

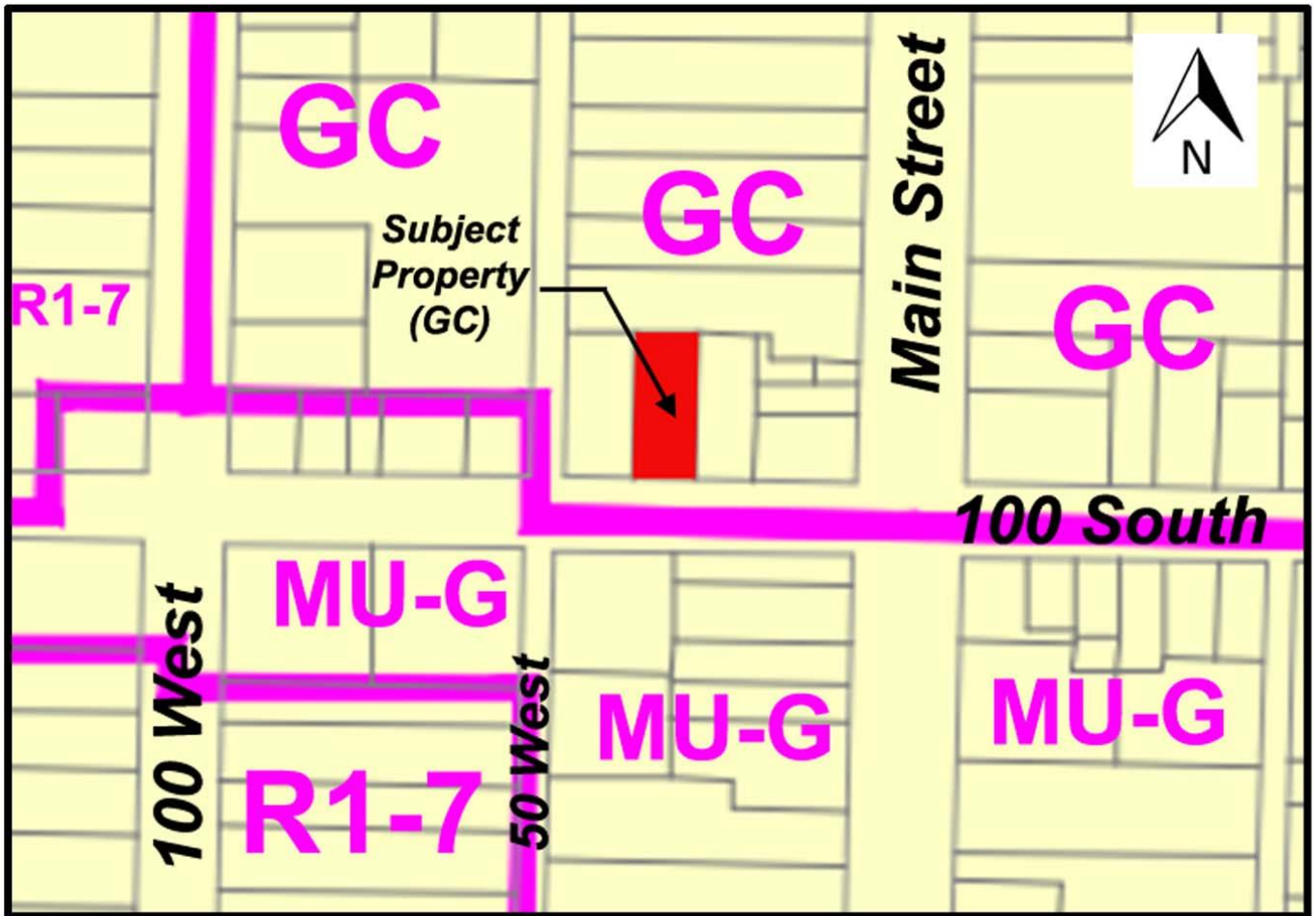
**MAPPING PERTINENT TO THE
CLASSIC CAR CO. CONDITIONAL USE PERMIT**

Classic Cars Company Conditional Use



Current Zoning

Classic Cars Company Conditional Use



Current Zoning

EXHIBIT B

APPLICANT SUBMITTED INFORMATION



Imagery ©2020 State of Utah, Map data ©2020 20 ft

PROPERTY LINES

- NORTH LINE - 69'
- SOUTH LINE - 69'
- EAST LINE - 182'
- WEST LINE - 182'

12 PARKING SPACES
ON NORTH SIDE
INCLUDING ONE
HANDICAPPED

7 PARKING SPACES
ON SOUTH SIDE

NOTICE OF COMPLIANCE

Case #: CE20-815

Parcel #: 02-029-0-0008

Name of Responsible Person(s): FIORE BELMONTE TRUCKS, CARS & CREDIT

Mailing Address: 115 S MAIN ST Tooele, UT 84074

Address of Violation: 47 S 100 W, TOOEELE, UT 84074

Original Inspection/Observation Date: 09/30/2020

Original Violation(s): CONDITIONAL USE PERMIT; BUSINESS LICENSE

Compliance Date: 01/04/2021

On the compliance date above, a duly appointed Code Enforcement Officer for Tooele City inspected the address of violation. Be it known to all that the above named Responsible Person(s) has/have fully complied with the Code Enforcement Order and that all code violations set out in the Notice of Violation appear to have been corrected, and no further performance currently is expected or required with respect to said Code Violation(s).

Nothing in this Notice of Compliance limits or otherwise restrains the City from ascertaining and prosecuting other code violations that may exist now or in the future. **A recurrence of substantially the same conduct or condition within a 12-month period will result in a new Notice of Violation and a re-assessment of penalties in addition to penalties for the new violation.**

If you have any questions please contact the **Tooele City Code Enforcement Officer at 435-843-2164.**

Officer:
Ann Cole

STAFF REPORT

January 6, 2021

To: Tooele City Planning Commission
Business Date: January 13, 2021

From: Planning Division
Community Development Department

Prepared By: Andrew Aagard, City Planner / Zoning Administrator

Re: Hidden Hollow – Preliminary Plan Subdivision Request

Application No.: P18-857
Applicant: Travis Sutherland
Project Location: Approximately 600 South Oakridge Drive
Zoning: R1-12 Single-Family Residential Zone
Acreage: 16.9 Acres (Approximately 736,164 ft²)
Request: Request for approval of a Preliminary Plan Subdivision in the R1-12 Residential zone regarding the creation of 36 single-family residential lots.

BACKGROUND

This application is a request for approval of a Preliminary Plan Subdivision for approximately 16.9 acres located at approximately 600 South Oakridge. The property is currently zoned R1-12 Single-Family Residential, is located within the Sensitive Area Overlay and bears a PUD designation. The applicant is requesting that a Preliminary Plan Subdivision be approved to allow the property to be developed as 36 single-family residential lots and accommodating public rights-of-way.

ANALYSIS

General Plan and Zoning. The Land Use Map of the General Plan calls for the Low Density Residential land use designation for the subject property. The property has been assigned the R1-12 Single-Family Residential zoning classification, supporting approximately three dwelling units per acre. The subject property is surrounded by R1-7 zoning to the north, R1-14 zoning to the east, and OS Open Space zoning to the south. Mapping pertinent to the subject request can be found in Exhibit “A” to this report.

The property also bears a Sensitive Area Overlay. The purpose and intent of Sensitive Area Overlay is to provide regulatory standards, guidelines, and criteria having the effect of minimizing flooding, erosion, destruction of natural plant and wildlife habitat, alteration of natural drainages, and other environmental hazards, and protecting the natural scenic character of the hillside and mountain areas. In support of this purpose and intent, this Chapter recognizes the importance of the unique hillside and mountain areas of Tooele City to the scenic character, heritage, history, and identity of Tooele City and of adjoining areas of unincorporated Tooele County. In support of this purpose and intent, Tooele City finds that it is in the public interest to regulate the development of sensitive areas in a manner so as to minimize the adverse impacts of development on scenic open spaces and on sensitive or vulnerable organic and inorganic systems.

The property also bears a PUD designation under the Bison Ridge PUD, approved in 2008 by the Tooele City Council. The PUD designation establishes conditions that regarding slope regulation and mapping, site grading for each lot, minimum 5,000 square foot development pad for each lot containing a slope less

than 20%, establishing 30 foot setbacks for front and rear of the buildings and requiring lots to be 12,000 square feet or larger.

Subdivision Layout. The subdivision proposed to divide 16.98 acres of foot hill property into 36 individual lots ranging in size from 12,076 square feet up to 32,652 square feet. The subdivision will gain access to Skyline Drive from existing stub streets at Mountaineer Drive, Oakridge Drive and will connect with Deer Hollow Subdivision to the east. All streets in the subdivision will be constructed to Tooele City Public Street standards and will eventually be owned and maintained by Tooele City as public streets.

Each lot has been reviewed against the qualifications of the R1-12 zoning ordinance, the Sensitive Area Overlay and the Bison Ridge PUD. Each lot meets or exceeds the minimum requirements for lot width, lot size, and building pad size and slope minimums as required by each ordinance.

There will be two storm water detention basins, Parcel A and Parcel B that will be dedicated to Tooele City. The basins will be landscaped with turf and an in-ground irrigation system provided.

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

REVIEWS

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

1. The proposed lots meet or exceed the requirements of the R1-12 zoning district for lot size, lot width and lot frontages.
2. The proposed subdivision meets the minimum requirements of the Bison Ridge PUD regarding slop analysis, regulation, building pad size and minimum buildable slope.
3. The proposed subdivision meets the minimum requirements for residential development as set forth by the Tooele City Sensitive Area Overlay as defined in Tooele City Code 7-12.

Engineering Review. The Tooele City Engineering Division have completed their review of the Preliminary Plan Subdivision submission and have issued a recommendation for approval for the request.

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

1. There are two buildable lots according to planning rules that will have a water line running on the sides of the house within 10'. This is not good standard practice. When the water line breaks, the City will incur a very costly repair in a side yard with equipment. These are usually homes that will be inundated with water when the line breaks and clean up costs and repairs are substantial. I would recommend that we as a City look at purchasing lots that would take us out of liability, or, change current zoning ordinances to protect the best interest of the City, and the individuals that live in the homes on both these lots in this development.

STAFF RECOMMENDATION

Staff recommends approval of the request for a Preliminary Plan Subdivision by Travis Sutherland, application number P18-857, subject to the following conditions:

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

This recommendation is based on the following findings:

1. The proposed development plans meet the intent, goals, and objectives of the Tooele City General Plan.
2. The proposed development plans meet the requirements and provisions of the Tooele City Code.
3. The proposed development plans will not be deleterious to the health, safety, and general welfare of the general public nor the residents of adjacent properties.
4. The proposed development conforms to the general aesthetic and physical development of the area.
5. The public services in the area are adequate to support the subject development.
6. The proposed lots meet or exceed the requirements of the R1-12 zoning district for lot size, lot width and lot frontages.
7. The proposed subdivision meets the minimum requirements of the Bison Ridge PUD regarding slop analysis, regulation, building pad size and minimum buildable slope.
8. The proposed subdivision meets the minimum requirements for residential development as set forth by the Tooele City Sensitive Area Overlay as defined in Tooele City Code 7-12.

MODEL MOTIONS

Sample Motion for a Positive Recommendation – “I move we forward a positive recommendation to the City Council for the Hidden Hollow Preliminary Plan Subdivision Request by Travis Sutherland, for the purpose of creating 36 single-family residential lots, application number P18-857, based on the findings and subject to the conditions listed in the Staff Report dated January 6, 2021:”

1. List any additional findings and conditions...

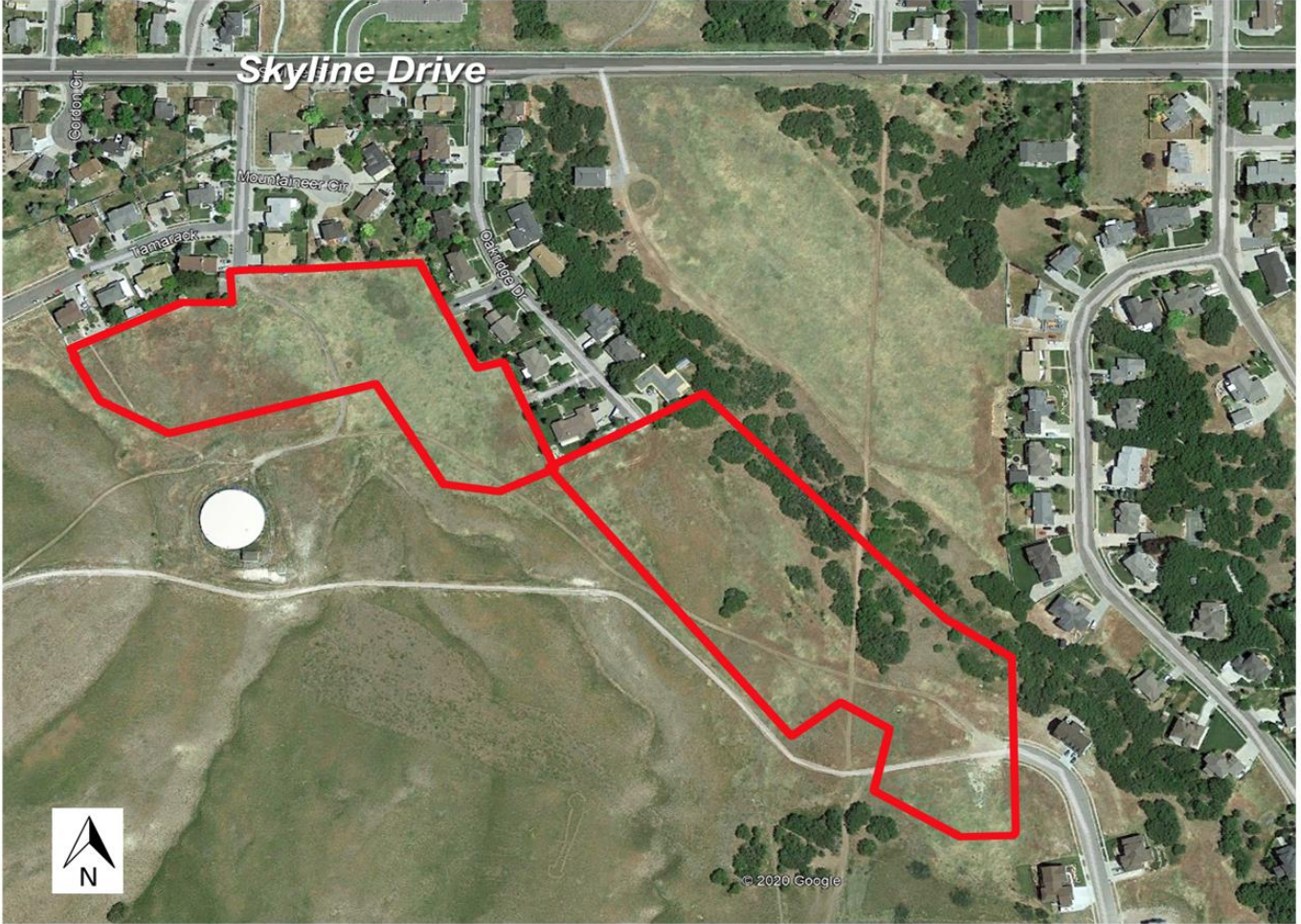
Sample Motion for a Negative Recommendation – “I move we forward a negative recommendation to the City Council for the Hidden Hollow Preliminary Plan Subdivision Request by Travis Sutherland, for the purpose of creating 36 single-family residential lots, application number P18-857, based on the following findings:”

1. List findings...

EXHIBIT A

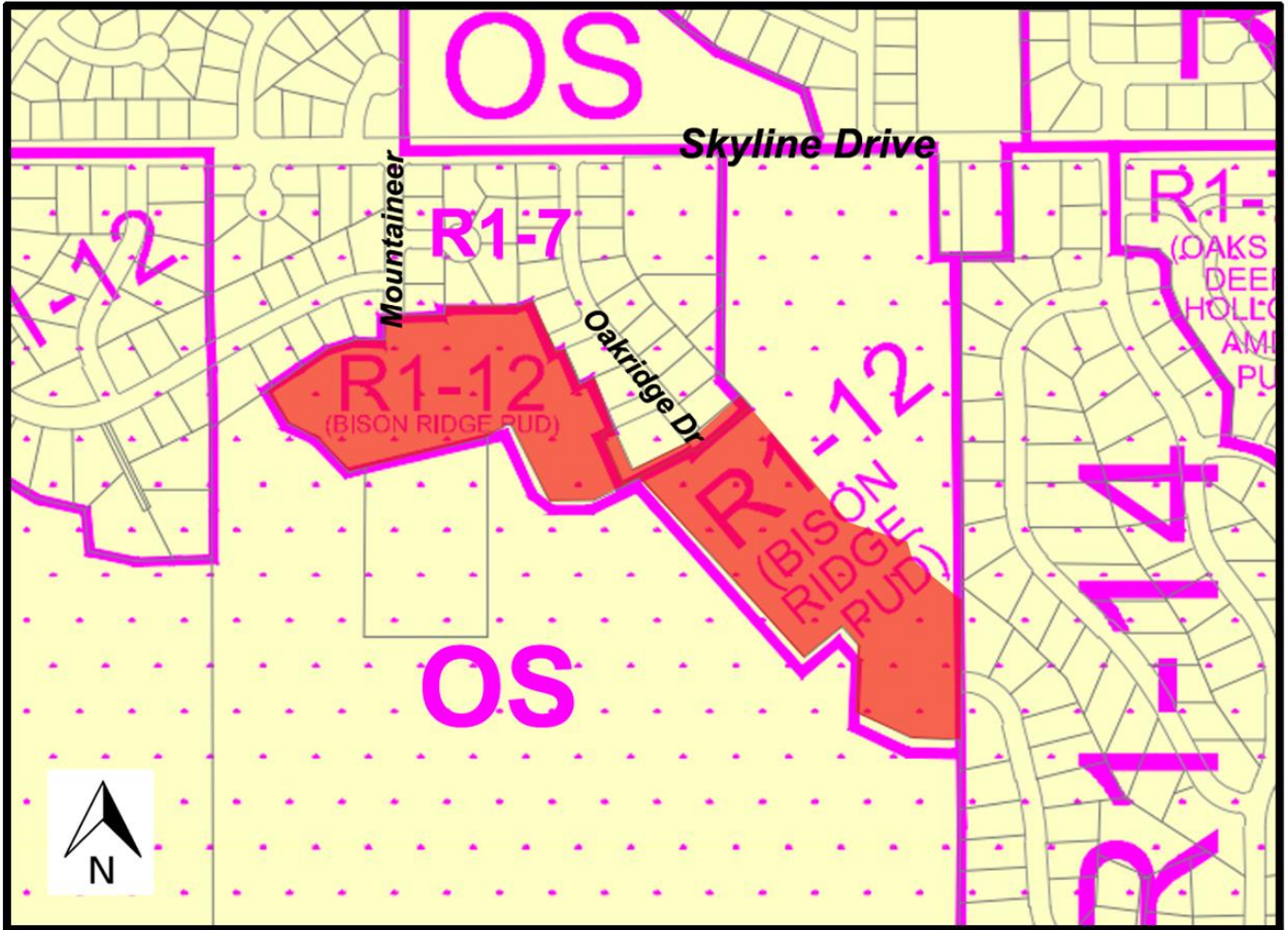
**MAPPING PERTINENT TO THE HIDDEN HOLLOW PRELIMINARY PLAN
SUBDIVISION**

Hidden Hollow Subdivision Preliminary Plan



Aerial View

Hidden Hollow Subdivision Preliminary Plan



Current Zoning

EXHIBIT B
PROPOSED DEVELOPMENT PLANS

Subdivision - Preliminary Plan Application

Community Development Department
 90 North Main Street, Tooele, UT 84074
 (435) 843-2130 Fax (435) 843-2139
www.tooelecity.org



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

Project Information					
Date of Submission:	Submittal #: <input checked="" type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4	Zone: R-1-12PUD	Acres: 16.98	Parcel #(s): 2-16-40	P18-857
Project Name: HIDDEN HOLLOW SUBDIVISION					
Project Address: ± 600 S. OAKRIDGE, TOOELE, UTAH					
Project Description: 36 LOTS ON 16.98 ACRES			Phases: 1	Lots: 36	
Property Owner(s): JACK WALTERS, TRAVIS SUTHERLAND			Applicant(s): SAME AS OWNER		
Address: 707 E. VISTA CIRCLE			Address:		
City: TOOELE	State: UT	Zip: 84074	City:	State:	Zip:
Phone: 435-840-3010	Email: jack.walters123@gmail.com		Phone:	Email:	
Contact Person: TRAVIS SUTHERLAND			Address:		
Phone:	City:		State:	Zip:	
Cellular:	Fax:	Email:			
Engineer & Company: CIVIL PROJ-EX			Surveyor & Company: RICHARDSON SURVEYING		
Address: 96 QUIRK			Address: 3448 S. 100 W.		
City: GRANTSVILLE	State: UT	Zip: 84009	City: BOUNTIFUL	State: UT	Zip: 84010
Phone: 435-228-6736	Email: barry.bunderson@civilprojex.com		Phone: 801-298-1615	Email: RSURVEY@GMAIL.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.

\$1000 + \$50/LOT = \$2800

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

PRELIMINARY PLAT-NOT TO BE RECORDED - HIDDEN HOLLOW SUBDIVISION

LOCATED IN THE NORTH HALF OF SECTION 34 TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE MERIDIAN

TOOELE COUNTY, TOOELE CITY, UTAH

NOTE:

ALL LOTS IN THIS SUBDIVISION SHALL BE SUBJECT TO ALL DEVELOPMENT REQUIREMENTS AND STANDARDS AS FOUND IN TITLE 7, CHAPTER 1.2, SENSITIVE OVERLAY ZONING REGULATIONS OF THE TOOELE CITY DEVELOPMENT CODE

SURVEYOR'S CERTIFICATE

I, _____, Professional Land Surveyor No. 4265 (152050), State of Utah, _____, certify that by authority of the owners, I have made a survey of the tract of land shown on this plat and described hereon, and have subdivided said tract of land into lots and streets, together with easements, hereafter to be known as **HIDDEN HOLLOW SUBDIVISION** and that the same has been correctly surveyed and monumented on the ground as shown on this plat.

BOUNDARY DESCRIPTION

A part of the North Half of Section 34, Township 3 South, Range 4 West, Salt Lake Base and Meridian. Beginning at a point located S 89°39'39" W 2652.88 ft. along the Section Line of Section 34 Township 3 South, Range 4 West and S 0°52'46" W 473.52 ft. from the Tooele County Dependent Re-Survey Monument representing the Northeast Corner of said Section 34. (Basis of Bearings for this description is from the North 1/4 Corner of said Section 34, N 89°39'39" E 2652.88 ft. to the Northeast Corner of said Section 34) and running thence along well established fence lines at the southerly boundary of Gordon Hollows No. 1 Subdivision (recorded as Entry No. 325677 in the Tooele County Recorder's Office) the following (9) courses: (1) S 89°43'13" E 125.75 ft.; (2) N 0°33'58" E 24.52 ft.; (3) S 89°50'31" E 144.51 ft.; (4) N 88°17'39" E 65.93 ft.; (5) N 70°10'18" E 41.43 ft.; (6) S 23°34'45" E 160.43 ft.; (7) N 66°39'07" E 29.70 ft.; (8) S 23°28'41" E 110.17 ft.; (9) N 66°25'31" E 41.94 ft.; thence continuing along said southerly boundary of Gordon Hollows No. 1 and the prolongation thereof and also along the boundary of Karlene S. and Michael G. Wells property recorded as Entry No. 127808, S 23°28'26" E 290.38 ft.; thence continuing along the boundary of said Wells property the following (2) courses: (1) N 63°23'07" E; (2) N 40°23'48" W to the southerly boundary of said Gordon Hollows No. 1; thence along said southerly N 63°41'36" E 51.56 ft.; thence S 40°20'54" E 44.96 ft.; thence N 49°39'32" E 142.20 ft.; thence S 40°21'11" E 314.97 ft.; thence S 64°26'02" E 109.53 ft.; thence S 79°49'13" E 105.85 ft.; thence S 24°36'38" E 66.17 ft.; thence S 50°52'21" E 225.49 ft. to the westerly boundary of Deer Hollow Phase 7 recorded as Entry No. 276460 in the Tooele County Recorder's Office; thence along said westerly boundary of Deer Hollow Phase 7 S 0°06'39" E 449.25 ft.; thence N 87°30'20" W 140.27 ft.; thence N 64°47'43" W 173.04 ft.; thence N 2°21'41" E 188.12 ft.; thence N 40°21'11" W 75.22 ft.; thence S 49°38'49" W 138.71 ft.; thence N 40°21'11" W 596.22 ft.; thence N 57°12'05" W 111.98 ft.; thence S 63°41'36" W 150.00 ft.; thence S 89°59'41" W 123.89 ft.; thence N45°43'27" W 61.59 ft.; thence N 24°47'43" W 189.07 ft.; thence S 78°04'29" W 288.53 ft.; thence S 73°41'15" W 195.63 ft.; thence N 43°19'30" W 132.91 ft.; thence N 65°11'23" W 69.83 ft.; thence N 30°38'35" W 120.25 ft. to the southerly boundary of Canyon Cove Estates Subdivision Phase 1 recorded as Entry No. 299055 in the Tooele County Recorder's Office; thence along said southerly boundary of Canyon Cove Estates Subdivision Phase 1 and the prolongation thereof to a well established fence line at the southerly boundary of previously said Gordon Hollows No. 1 N 55°34'46" E 125.81 ft.; thence following well established fence lines at the southerly boundary of previously said Gordon Hollows No. 1 the following (3) courses: (1) N 63°52'57" E 89.51 ft.; (2) N 73°27'48" E 86.38 ft.; (3) N 89°21'59" E 80.49 ft.; thence N 0°20'21" W 75.34 ft.; thence S 89°43'13" E 43.81 ft. returning to the point of beginning. The above described parcel contains 16.94 acres ml.

OWNER'S DEDICATION

Know all men by these presents that I/we, the under-signed owner(s) of the above described tracts of land, having caused same to be subdivided into lots and street, together with easements, hereafter known as the **HIDDEN HOLLOW SUBDIVISION** do hereby dedicate to Tooele City all those tracts of land designated on this plat as streets, the same to be used as public thoroughfares forever. The undersigned Owner(s) also hereby convey(s) to any and all public utility companies a perpetual, non-exclusive easement over the public utility and drainage easements shown on this plat, the same to be used for drainage and for the installation, maintenance and operation of public utility service lines and facilities.

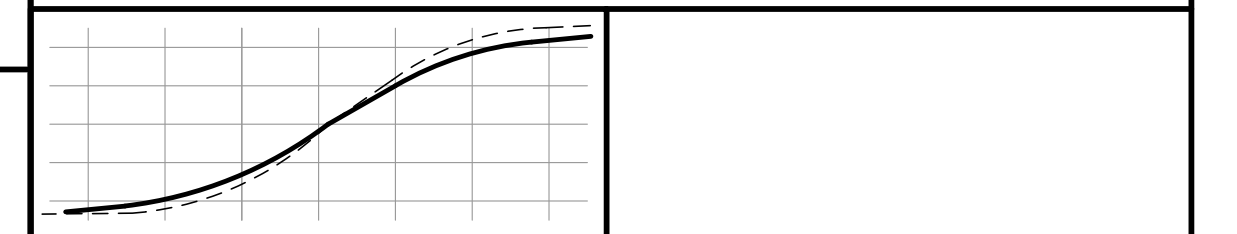
In witness whereof I/we have hereunto set my/our hand(s) this ____ day of _____ A.D., 20__.

By: Travis Sutherland
By: Jack Walters

ACKNOWLEDGMENT

STATE OF UTAH
COUNTY OF TOOELE
On the ____ day of _____ A.D., 20__.
personally appeared before me, the undersigned Notary public, in and for said County of _____ in State of Utah, who after being duly sworn, acknowledged to me that He/She/They signed the Owner's Dedication, _____ in number, freely and voluntarily for the purposes therein mentioned.

My commission expires _____
residing in _____ Notary Public



CIVIL PROJ-EX, INC
ENGINEERS * PLANNERS
96 SOUTH QUIRK STREET
GRANTSVILLE, UTAH 84029

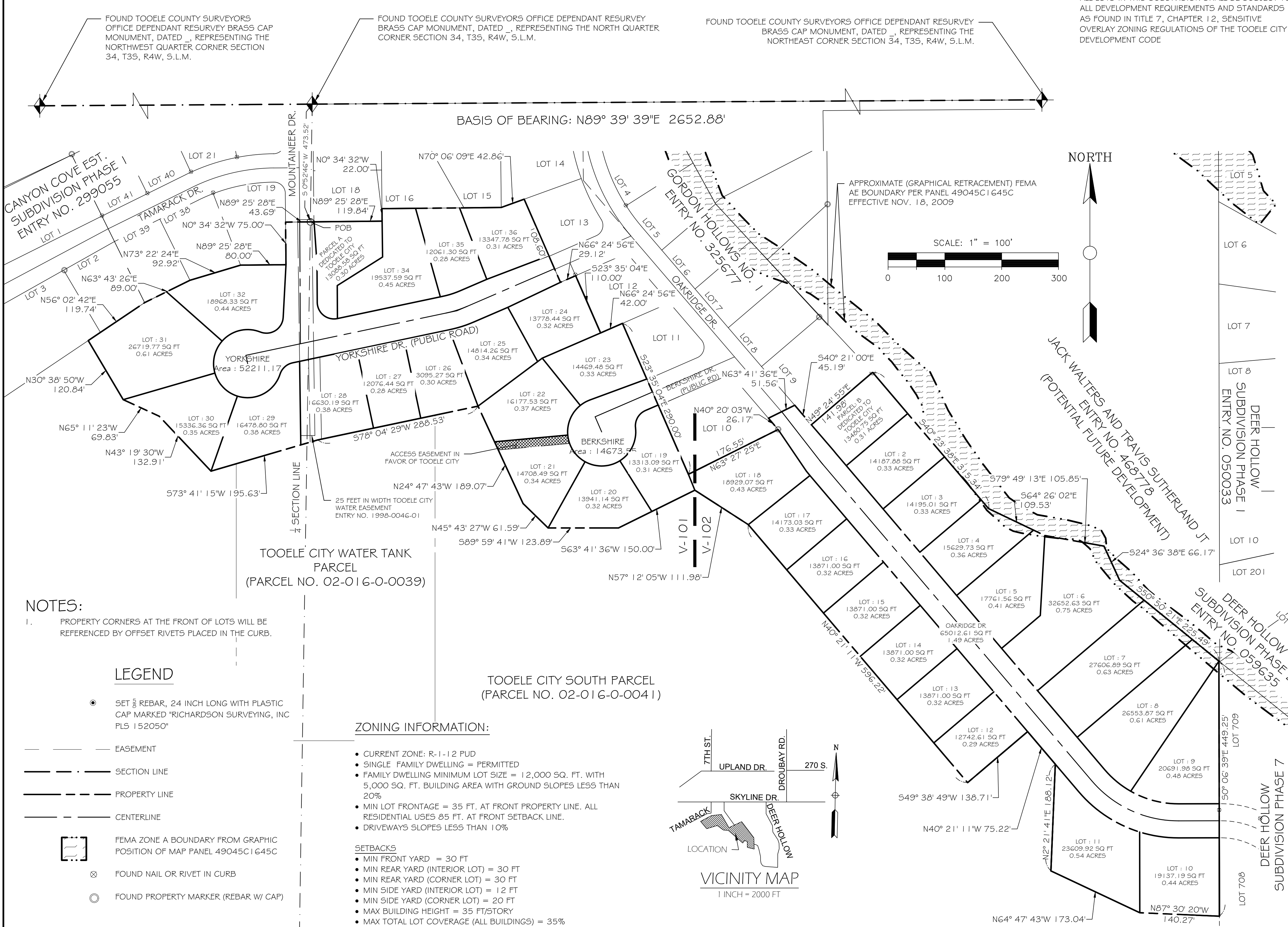
OWNER: BIG DREAMS
435-840-3010
1094 NORTH MAIN, TOOELE, UT 84074

DRN: BVB DATE: 2019.07.29
DES: BVB DATE: 2019.07.29
CKD: JDR DATE: _____
SCALE: AS SHOWN
JOB # 18-45014
NO. 1 OF 3

HIDDEN HOLLOW SUBDIVISION
LOCATED IN THE NORTH HALF OF SECTION 34 TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE MERIDIAN, CITY OF TOOELE, TOOELE COUNTY, UTAH

CITY PLANNING COMMISSION
APPROVED THIS _____ DAY OF _____ A.D. 20__ BY THE TOOELE CITY PLANNING COMMISSION. 7/29/2019 9:15:30 PM

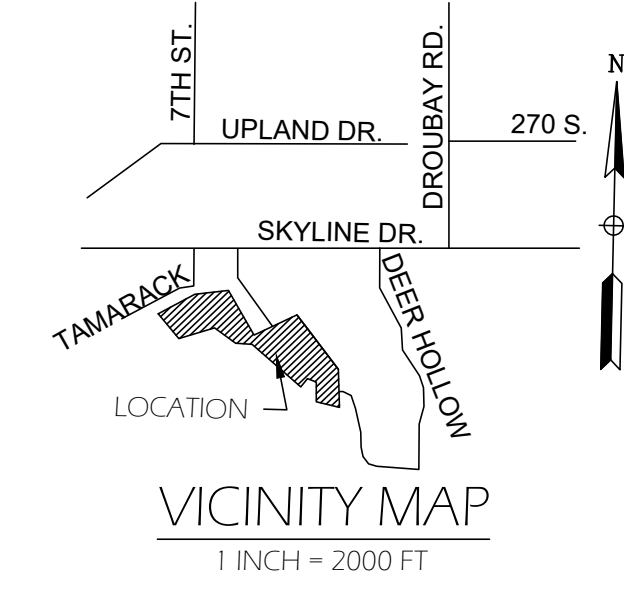
ATTEST: _____



NOTES:
1. PROPERTY CORNERS AT THE FRONT OF LOTS WILL BE REFERENCED BY OFFSET RIVETS PLACED IN THE CURB.

- LEGEND
- SET REBAR, 24 INCH LONG WITH PLASTIC CAP MARKED "RICHARDSON SURVEYING, INC PLS 152050"
- EASEMENT
- SECTION LINE
- PROPERTY LINE
- CENTERLINE
- FEMA ZONE A BOUNDARY FROM GRAPHIC POSITION OF MAP PANEL 49045C1645C
- FOUND NAIL OR RIVET IN CURB
- FOUND PROPERTY MARKER (REBAR W/ CAP)

- ZONING INFORMATION:
- CURRENT ZONE: R-1-12 PUD
- SINGLE FAMILY DWELLING = PERMITTED
- FAMILY DWELLING MINIMUM LOT SIZE = 12,000 SQ. FT. WITH 5,000 SQ. FT. BUILDING AREA WITH GROUND SLOPES LESS THAN 20%
- MIN LOT FRONTAGE = 35 FT. AT FRONT PROPERTY LINE. ALL RESIDENTIAL USES 85 FT. AT FRONT SETBACK LINE.
- DRIVEWAYS SLOPES LESS THAN 10%
- SETBACKS
 - MIN FRONT YARD = 30 FT
 - MIN REAR YARD (INTERIOR LOT) = 30 FT
 - MIN REAR YARD (CORNER LOT) = 30 FT
 - MIN SIDE YARD (INTERIOR LOT) = 12 FT
 - MIN SIDE YARD (CORNER LOT) = 20 FT
 - MAX BUILDING HEIGHT = 35 FT/STORY
 - MAX TOTAL LOT COVERAGE (ALL BUILDINGS) = 35%



ROCKY MOUNTAIN POWER
1. PURSUANT TO UTAH CODE ANN. § 54-3-27 THIS PLAT CONVEYS TO THE OWNER(S) OR OPERATORS OF UTILITY FACILITIES A PUBLIC UTILITY EASEMENT ALONG WITH ALL THE RIGHTS AND DUTIES DESCRIBED THEREIN.
2. PURSUANT TO UTAH CODE ANN § 17-27a-603(4)(c)(ii) ROCKY MOUNTAIN POWER ACCEPTS DELIVERY OF THE P.U.E. AS DESCRIBED IN THIS PLAT AND APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS AND APPROXIMATES THE LOCATION OF THE PUBLIC UTILITY EASEMENTS, BUT DOES NOT WARRANT THEIR PRECISE LOCATION. ROCKY MOUNTAIN POWER MAY REQUIRE OTHER EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT AFFECT ANY RIGHT THAT ROCKY MOUNTAIN POWER HAS UNDER:
(1) A RECORDED EASEMENT OR RIGHT-OF-WAY
(2) THE LAW APPLICABLE TO PRESCRIPTIVE RIGHTS
(3) TITLE 54, CHAPTER 86 DAMAGE TO UNDERGROUND UTILITY FACILITIES OR
(4) AN OTHER PROVISION OF LAW
APPROVED THIS _____ DAY OF _____ A.D. 20__
ROCKY MOUNTAIN POWER
BY - _____
TITLE - _____

DOMINION ENERGY
DOMINION ENERGY APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS. DOMINION ENERGY MAY REQUIRE OTHER EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT CONSTITUTE ABROGATION OR WAIVER OF ANY OTHER EXISTING RIGHTS, OBLIGATIONS, OR LIABILITIES PROVIDED BY LAW OR EQUITY. THIS APPROVAL DOES NOT CONSTITUTE ACCEPTANCE, APPROVAL OR ACKNOWLEDGMENT OF ANY TERMS CONTAINED IN THE PLAT, INCLUDING THOSE SET FORTH IN THE OWNERS DEDICATION AND THE NOTES AND DOES NOT CONSTITUTE A GUARANTEE OF PARTICULAR TERMS OF NATURAL GAS SERVICE. FOR FURTHER INFORMATION PLEASE CONTACT DOMINION ENERGY RIGHT-OF-WAY DEPARTMENT AT 1-800-366-8532.
APPROVED THIS _____ DAY OF _____ A.D. 20__
DOMINION ENERGY COMPANY
BY - _____
TITLE - _____

COMMUNITY DEVELOPMENT
APPROVED AS TO FORM ON THIS _____ DAY OF _____ A.D. 20__
TOOELE CITY COMMUNITY DEVELOPMENT
FIRE CHIEF
APPROVED THIS _____ DAY OF _____ A.D. 20__ BY THE TOOELE CITY FIRE DEPARTMENT.
TOOELE CITY FIRE CHIEF

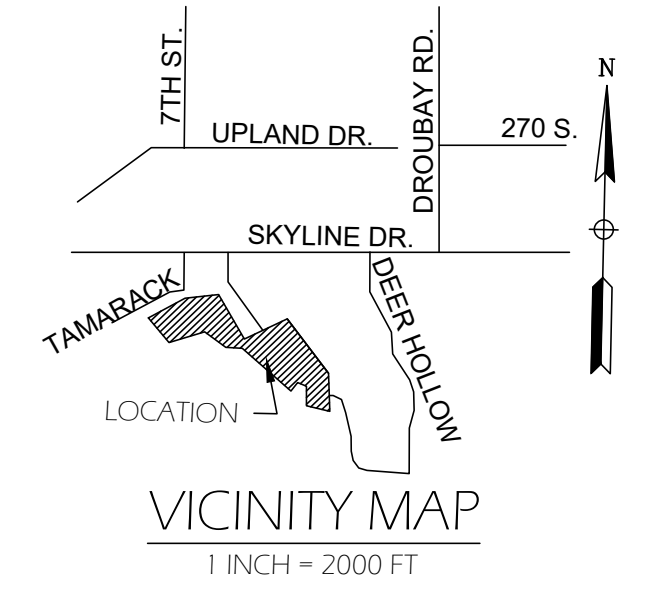
CITY ENGINEER
APPROVED AS TO FORM ON THIS _____ DAY OF _____ A.D. 20__
CITY ENGINEER
CHIEF OF POLICE
APPROVED THIS _____ DAY OF _____ A.D. 20__ BY THE TOOELE CITY CHIEF OF POLICE.
TOOELE CITY CHIEF OF POLICE

CITY ATTORNEY
APPROVED AS TO FORM ON THIS _____ DAY OF _____ A.D. 20__
TOOELE CITY ATTORNEY

PRELIMINARY PLAT-NOT TO BE RECORDED - HIDDEN HOLLOW SUBDIVISION

LOCATED IN THE NORTH HALF OF SECTION 34 TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE MERIDIAN

TOOELE COUNTY, TOOELE CITY, UTAH



NOTES:

- PROPERTY CORNERS AT THE FRONT OF LOTS WILL BE REFERENCED BY OFFSET RIVETS PLACED IN THE SIDEWALK.

LEGEND

- SET $\frac{3}{8}$ REBAR, 24 INCH LONG WITH PLASTIC CAP MARKED "RICHARDSON SURVEYING, INC PLS 152050"
- EASEMENT
- - - SECTION LINE
- — — PROPERTY LINE
- - - CENTERLINE
- ⊕ SET STREET MONUMENT PER APWA STANDARD PLAN No. 274
- ⊕ FEMA ZONE A BOUNDARY FROM GRAPHIC POSITION OF MAP PANEL 49045C1 G45C
- ⊗ FOUND NAIL OR RIVET IN CURB
- ⊙ FOUND PROPERTY MARKER (REBAR W/ CAP)
- U#DE UTILITY AND DRAINAGE EASEMENT

NOTE:

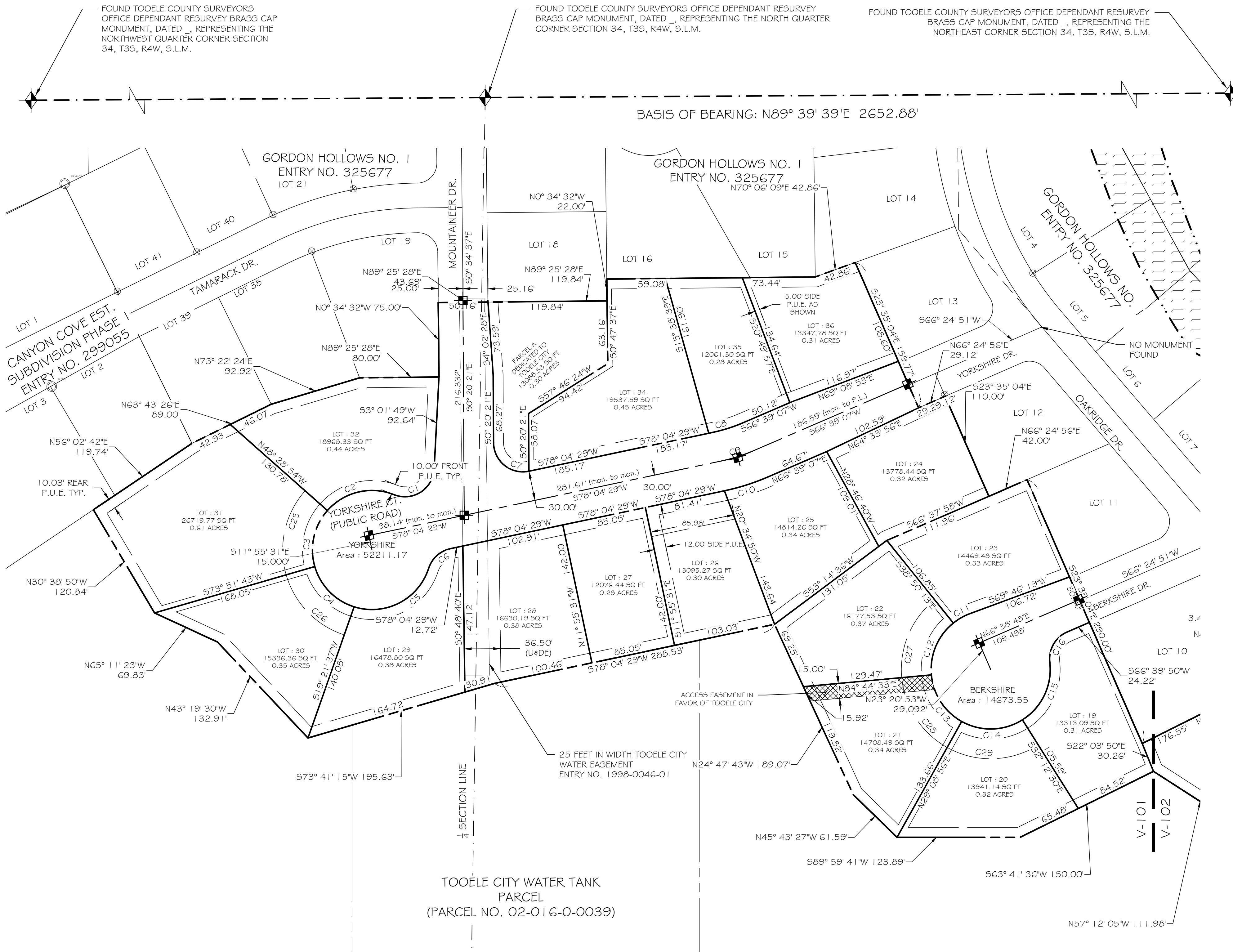
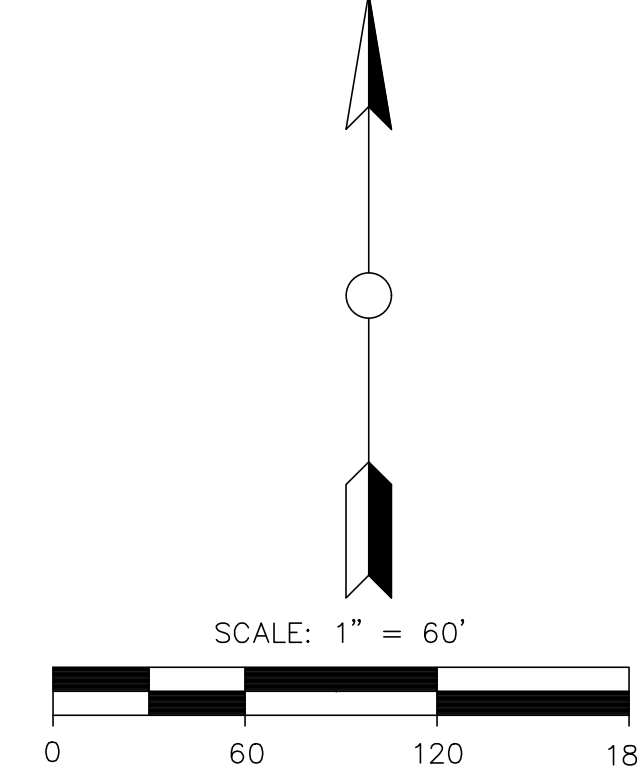
ALL LOTS IN THIS SUBDIVISION SHALL BE SUBJECT TO ALL DEVELOPMENT REQUIREMENTS AND STANDARDS AS FOUND IN TITLE 7, CHAPTER 12, SENSITIVE OVERLAY ZONING REGULATIONS OF THE TOOELE CITY DEVELOPMENT CODE

EACH LOT REQUIRES A DETAILED FINAL GRADING PLAN PER CITY ENGINEER REQUIREMENT.

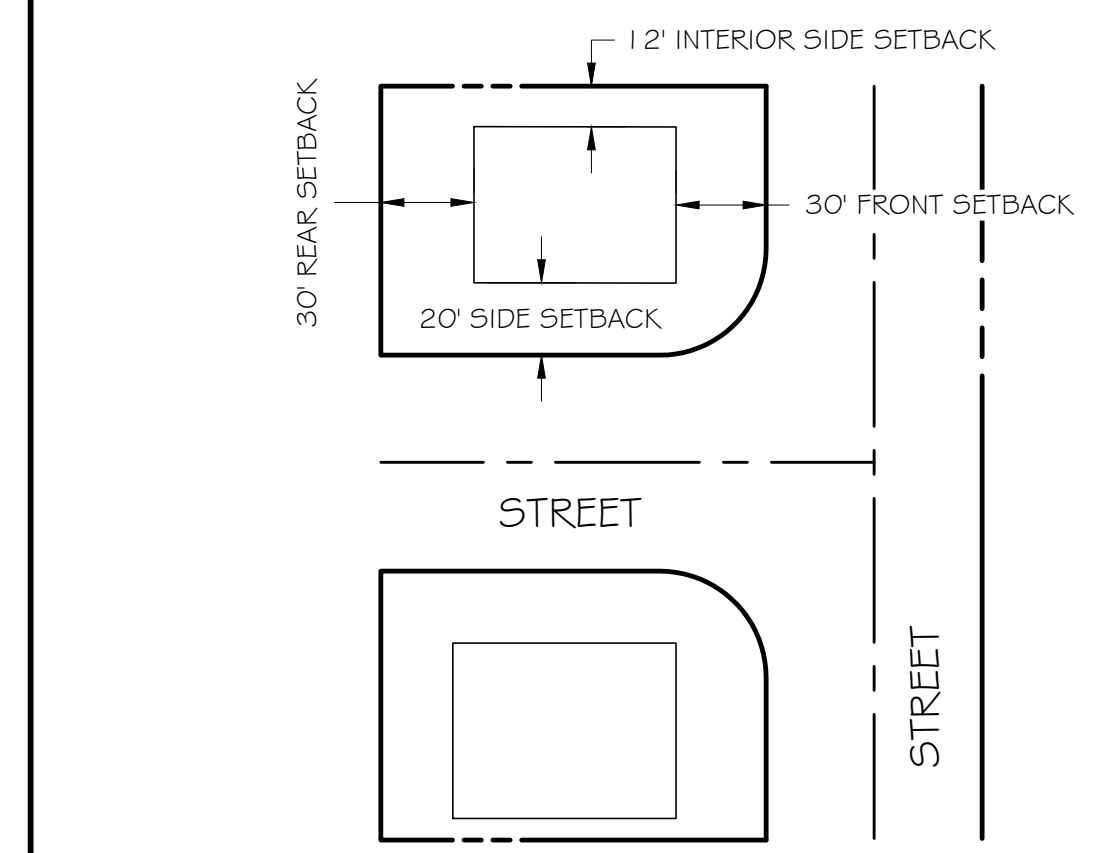
LOT 21: CONCERNING ACCESS EASEMENT; ANY STRUCTURE, TREES, OR ABOVE GROUND CONFLICTS ARE PROHIBITED. ACCESS BY CITY PERSONNEL AT ALL TIMES OF DAY AND NIGHT ARE TO BE ALLOWED.

LOT 33: CONCERNING STORM DRAINAGE POND EASEMENT; DETENTION POND SHALL BE MAINTAINED BY OWNER, TO BE FULLY FUNCTIONAL. ACCESS BY THE CITY WILL NOT BE LIMITED.

NORTH



Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	56.12	29.50	109° 00' 25"	N57° 13' 30"E	48.03
C2	73.52	60.00	70° 12' 37"	S76° 37' 24"W	69.01
C3	60.38	60.00	57° 39' 22"	S12° 41' 24"W	57.86
C4	59.02	60.00	56° 21' 26"	S44° 19' 00"E	56.67
C5	93.84	60.00	89° 36' 53"	NG2° 41' 51"E	84.57
C6	30.99	29.50	60° 11' 05"	S47° 58' 57"W	29.58
C7	52.30	29.50	101° 35' 10"	S51° 07' 56"E	45.72
C8	33.89	170.00	11° 25' 22"	N72° 21' 48"E	33.84
C9	39.87	200.00	11° 25' 22"	N72° 21' 48"E	39.81
C10	45.85	230.00	11° 25' 22"	N72° 21' 48"E	45.78
C11	19.50	60.00	18° 37' 04"	S60° 28' 19"W	19.41
C12	59.08	60.00	56° 25' 14"	S22° 57' 10"W	56.73
C13	58.22	60.00	55° 35' 37"	S33° 03' 15"E	55.96
C14	64.25	60.00	61° 21' 26"	N88° 28' 13"E	61.23
C15	67.71	60.00	64° 39' 27"	N25° 27' 47"E	64.17
C16	37.85	29.50	73° 31' 04"	S29° 53' 35"W	35.31
C25	90.57	90.00	57° 39' 22"	S12° 41' 24"W	86.79
C26	87.55	90.00	55° 44' 19"	S44° 00' 26"E	84.14
C27	88.63	90.00	56° 25' 14"	S22° 57' 10"W	85.09
C28	87.33	90.00	55° 35' 37"	S33° 03' 15"E	83.94
C29	96.38	90.00	61° 21' 26"	N88° 28' 13"E	91.84



CIVIL PROJ-EX, INC
ENGINEERS * PLANNERS
96 SOUTH QUIRK STREET
GRANTSVILLE, UTAH 84029

OWNER: BIG DREAMS
435-840-3010
1094 NORTH MAIN, TOOELE, UT 84074

DRN: BVB DATE: 2019.07.29 SCALE: AS SHOWN
DES: BVB DATE: 2019.07.29
CKD: JDR DATE: JOB # 18-45014

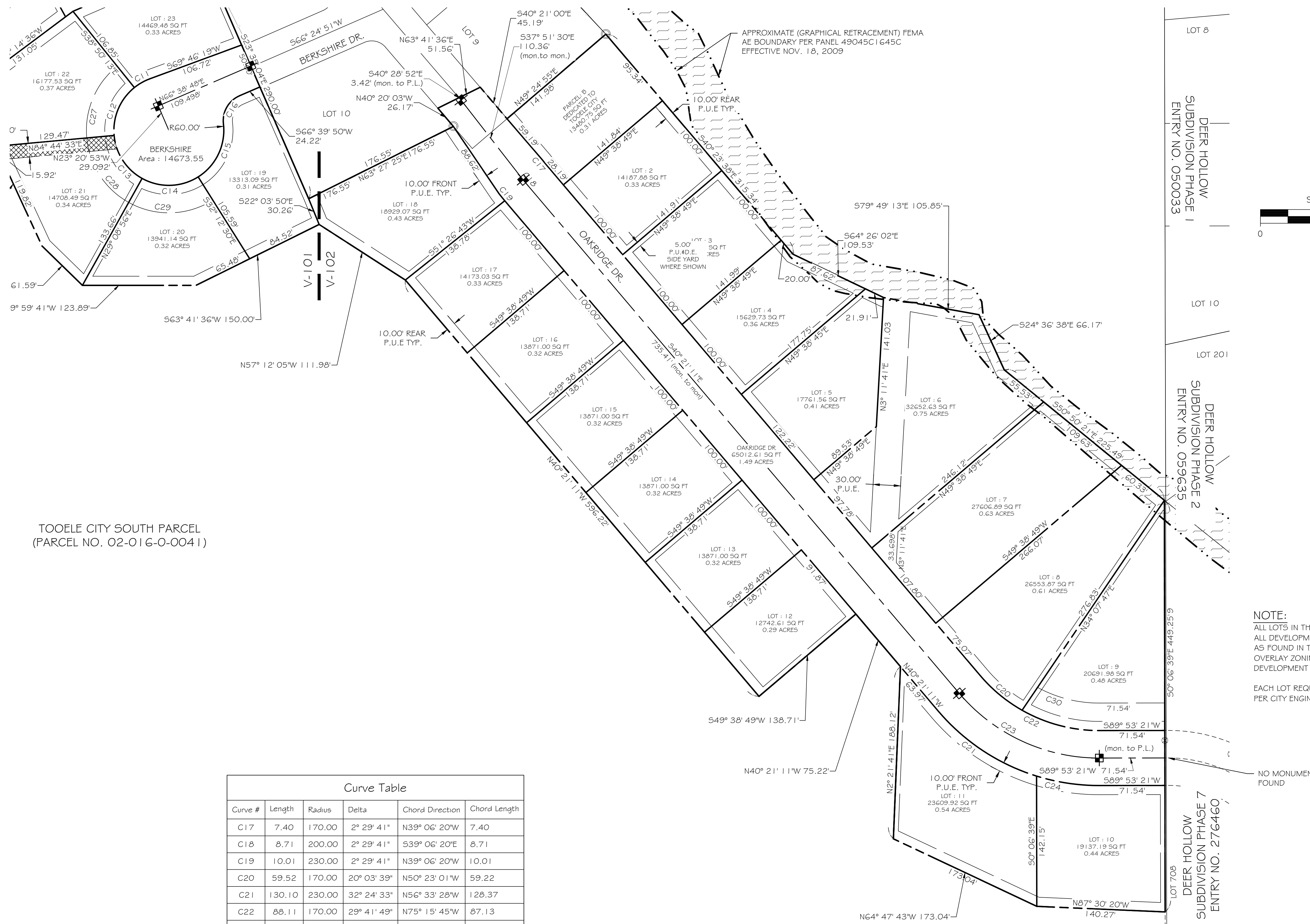
HIDDEN HOLLOW SUBDIVISION
V-101
NO. 2 OF 3
7/29/2019 9:16:30 PM

LOCATED IN THE NORTH HALF OF SECTION 34 TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE MERIDIAN, CITY OF TOOELE, TOOELE COUNTY, UTAH

PRELIMINARY PLAT-NOT TO BE RECORDED - HIDDEN HOLLOW SUBDIVISION

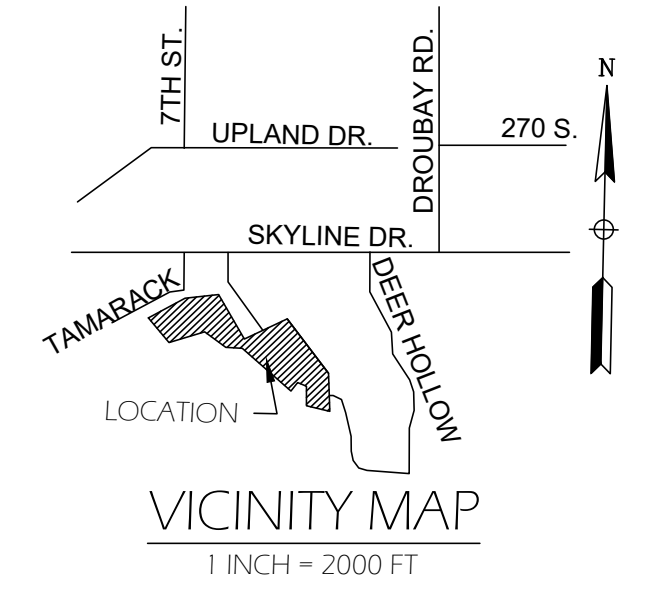
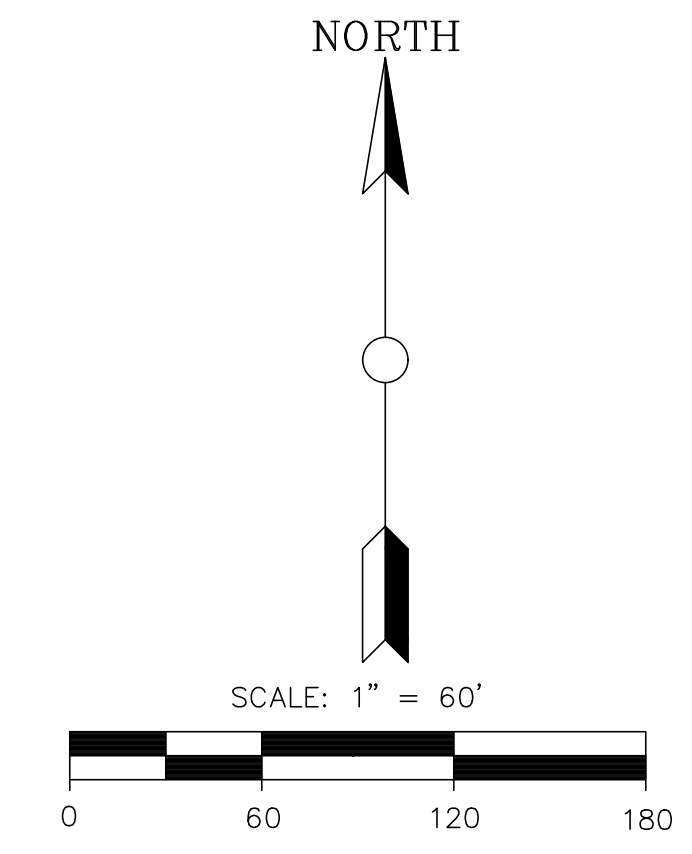
LOCATED IN THE NORTH HALF OF SECTION 34 TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE MERIDIAN

TOOELE COUNTY, TOOELE CITY, UTAH



TOOELE CITY SOUTH PARCEL
(PARCEL NO. 02-016-0-0041)

Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C17	7.40	170.00	2° 29' 41"	N39° 06' 20"W	7.40
C18	8.71	200.00	2° 29' 41"	S39° 06' 20"E	8.71
C19	10.01	230.00	2° 29' 41"	N39° 06' 20"W	10.01
C20	59.52	170.00	20° 03' 39"	N50° 23' 01"W	59.22
C21	130.10	230.00	32° 24' 33"	N56° 33' 28"W	128.37
C22	88.11	170.00	29° 41' 49"	N75° 15' 45"W	87.13
C23	173.69	200.00	49° 45' 28"	S65° 13' 55"E	168.28
C24	69.64	230.00	17° 20' 55"	N81° 26' 12"W	69.38
C30	70.18	140.00	28° 43' 14"	N75° 45' 02"W	69.45



NOTES:
1. PROPERTY CORNERS AT THE FRONT OF LOTS WILL BE REFERENCED BY OFFSET RIVETS PLACED IN THE SIDEWALK.

- LEGEND**
- SET $\frac{3}{8}$ " REBAR, 24 INCH LONG WITH PLASTIC CAP MARKED "RICHARDSON SURVEYING, INC PLS 152050"
 - EASEMENT
 - SECTION LINE
 - PROPERTY LINE
 - CENTERLINE
 - ⊕ SET STREET MONUMENT PER APWA STANDARD PLAN No. 274
 - ⊞ FEMA ZONE A BOUNDARY FROM GRAPHIC POSITION OF MAP PANEL 49045C1 G45C
 - ⊗ FOUND NAIL OR RIVET IN CURB
 - FOUND PROPERTY MARKER (REBAR W/ CAP)

NOTE:
ALL LOTS IN THIS SUBDIVISION SHALL BE SUBJECT TO ALL DEVELOPMENT REQUIREMENTS AND STANDARDS AS FOUND IN TITLE 7, CHAPTER 12, SENSITIVE OVERLAY ZONING REGULATIONS OF THE TOOELE CITY DEVELOPMENT CODE
EACH LOT REQUIRES A DETAILED FINAL GRADING PLAN PER CITY ENGINEER REQUIREMENT.

CIVIL PROJ-EX, INC
ENGINEERS * PLANNERS
96 SOUTH QUIRK STREET
GRANTSVILLE, UTAH 84029

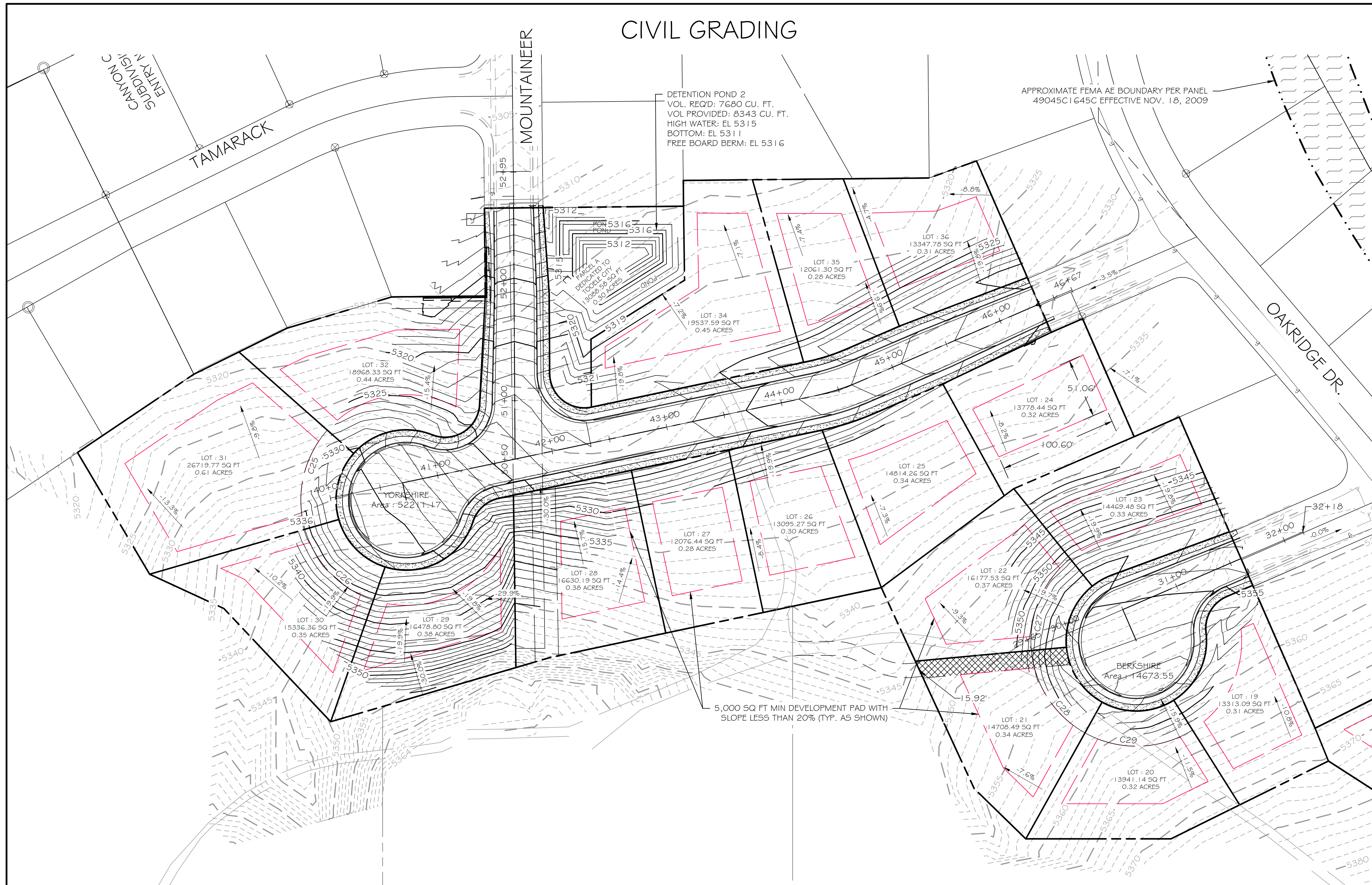
OWNER: BIG DREAMS
435-840-3010
1094 NORTH MAIN, TOOELE, UT 84074

DRN: BVB DATE: 2019.07.29 SCALE: AS SHOWN
DES: BVB DATE: 2019.07.29
CKD: JDR DATE: JOB # 18-45014

V-102
NO. 3 OF 3

HIDDEN HOLLOW SUBDIVISION
7/29/2019 9:17:00 PM

LOCATED IN THE NORTH HALF OF SECTION 34 TOWNSHIP 3 SOUTH, RANGE 4 WEST,
SALT LAKE MERIDIAN,
CITY OF TOOELE, TOOELE COUNTY, UTAH



NORTH

PAY ITEM
3123 SUBGRADE EARTHWORK

DRAINAGE NARRATIVE:

1. THE DRAINAGE AREA CONSIDERED FOR THE DETENTION POND 3 INCLUDES 7.95 ACRES FROM LOTS 19-36, ROADWAY DEDICATION AREAS FOR BERKSHIRE DR, YORKSHIRE DR AND MOUNTAINEER DR.
2. THE DESIGN STORM RETURN PERIOD IS FOR A 10% ANNUAL PROBABILITY STORM (10 YEAR). STORM WATER RUNOFF IS COLLECTED INTO THE DETENTION POND 3 LOCATED ON LOT 33 WHERE THE POND WILL FILL TO AN ELEVATION OF 5315 AT WHICH TIME WILL BEGIN TO SPILL OUT INTO MOUNTAINEER DR VIA TWO CURB INLET BOXES (DB-4 & DB-5) SINCE THERE IS NO EXISTING STORM DRAIN INFRASTRUCTURE TO PIPE DISCHARGE TO. THERE IS AN OVERFLOW SPILLWAY AND ROUTE OUT OF THE POND TO MOUNTAINEER DR.
3. THE 10 YEAR DISCHARGE RATE OUT OF THE POND IS REQUIRED TO BE 0.1 CFS/ACRE (=0.795 CFS). THIS IS ACHIEVED BY DETERMINING AT WHAT RAINFALL INTENSITY WOULD 0.795 CFS BE GENERATED USING THE RATIONAL METHOD (I=Q/CA). IT WAS DETERMINED THAT THE DRAINAGE AREA RATIONAL C=0.51 AND THAT INTENSITY=0.2 IN/HR.
4. THE REQUIRED VOLUME IN THE POND WAS DETERMINED BY CALCULATING THE VOLUME OF RUNOFF PREDICTED BY THE NRCS (SCS) METHOD FOR A RAINFALL INTENSITY SELECTED FROM THE TRAILING LEG OF THE 10 YEAR 24 HOUR HYDROGRAPH THAT IS LESS THAN THE 0.2 IN/HR AND WAS DETERMINED TO BE AT TIME STEP 13:00 (0.18 IN/HR). THE INCREMENTAL RAINFALL WAS SUMMED FROM 0:00 TO 13:00 AND WAS DETERMINED TO BE 1.79 IN. THE NRCS (SCS) METHOD WAS THEN USED TO DETERMINE THE RUNOFF VOLUME FOR THE 1.78 IN OF RAINFALL AND EQUATED 7.680 CU. FT. OF VOLUME REQUIRED.

GENERAL GRADING NOTES:

- A. GROUND IMMEDIATELY ADJACENT TO FOUNDATION AREAS, EXCEPT AT PAVED LOCATIONS, IS TO BE GRADED AWAY AT A SLOPE NOT LESS THAN 1:20 (5.0%) FOR A MINIMUM DISTANCE OF 10 FEET PER INTERNATIONAL BUILDING CODE. EXCEPT AT EXIT/ENTRANCE LOCATIONS, WHERE CONCRETE/PAVED SURFACE IS GRADED AWAY AT A SLOPE NOT LESS THAN 1:50 (2.0%)
- B. IN THE EVENT THAT ANY UNFORESEEN CONDITIONS ARE ENCOUNTERED DURING GRADING OPERATIONS, THE OWNER/ENGINEER IS TO BE IMMEDIATELY NOTIFIED FOR DIRECTION.
- C. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO PERFORM ALL NECESSARY CUTS AND FILLS WITHIN THE LIMITS OF THIS PROJECT AND THE RELATED OFF-SITE WORK, SO AS TO GENERATE THE DESIRED SUBGRADE, FINISH GRADES AND SLOPES SHOWN.
- D. CONTRACTOR IS TO TAKE FULL RESPONSIBILITY FOR ALL EXCAVATION. ADEQUATE SHORING IS TO BE DESIGNED AND PROVIDED BY THE CONTRACTOR TO PREVENT UNDERMINING OF ANY ADJACENT FEATURES OR FACILITIES AND/OR CAVING OF THE EXCAVATION.
- E. THE CONTRACTOR IS WARNED THAT AN EARTHWORK BALANCE WAS NOT NECESSARILY THE INTENT OF THIS PROJECT. ANY ADDITIONAL MATERIAL REQUIRED OR LEFTOVER MATERIAL FOLLOWING EARTHWORK OPERATIONS BECOMES THE RESPONSIBILITY OF THE CONTRACTOR.
- F. THE GRADING CONTRACTOR IS RESPONSIBLE TO COORDINATE WITH THE OWNER TO PROVIDE FOR THE REQUIREMENTS OF THE PROJECT STORM WATER POLLUTION PREVENTION PLAN (SWPPP) AND ASSOCIATED STATE PERMIT.
- G. ALL CUT AND FILL SLOPES ARE TO BE PROTECTED UNTIL EFFECTIVE EROSION CONTROL HAS BEEN ESTABLISHED.
- H. DRIVEWAYS SHALL HAVE A MAXIMUM SLOPE OF 10%. DRIVEWAY SLOPES TO BE VERIFIED DURING BUILDING PERMITTING PROCESS FOR EACH LOT.

DRAINAGE CALCULATION SHEET	
PROJECT NAME:	HIDDEN HOLLOW SUBDIVISION
PROJECT NO.:	18-45014
PREPARED FOR:	Tooele City
PREPARED BY:	Barry Bunderson, P.E.
DATE:	2/25/2019

Find the area of each type of land use		AMC II	
Total Area =	7.95 acres	CN	
urban residential =	7.95 acres	61	
pervious landscape areas =	5.08 acres	98	
streets and roads, roofs etc. =	2.87 acres		
Check area =	7.95		

Calculate the Composite CN value

$$CN_{composite} = CN_1 * \text{percent of total area}_1 + CN_{n+1} * \text{percent of total area}_{n+1}$$

$CN_{composite} = 74.36$

Solve for storage using the SCS rainfall-runoff relationship.

$$S = \frac{1000}{CN} - 10$$

$S = 3.45$ in
 Assume that $la=0.25$ and verify $0.25 \leq S$

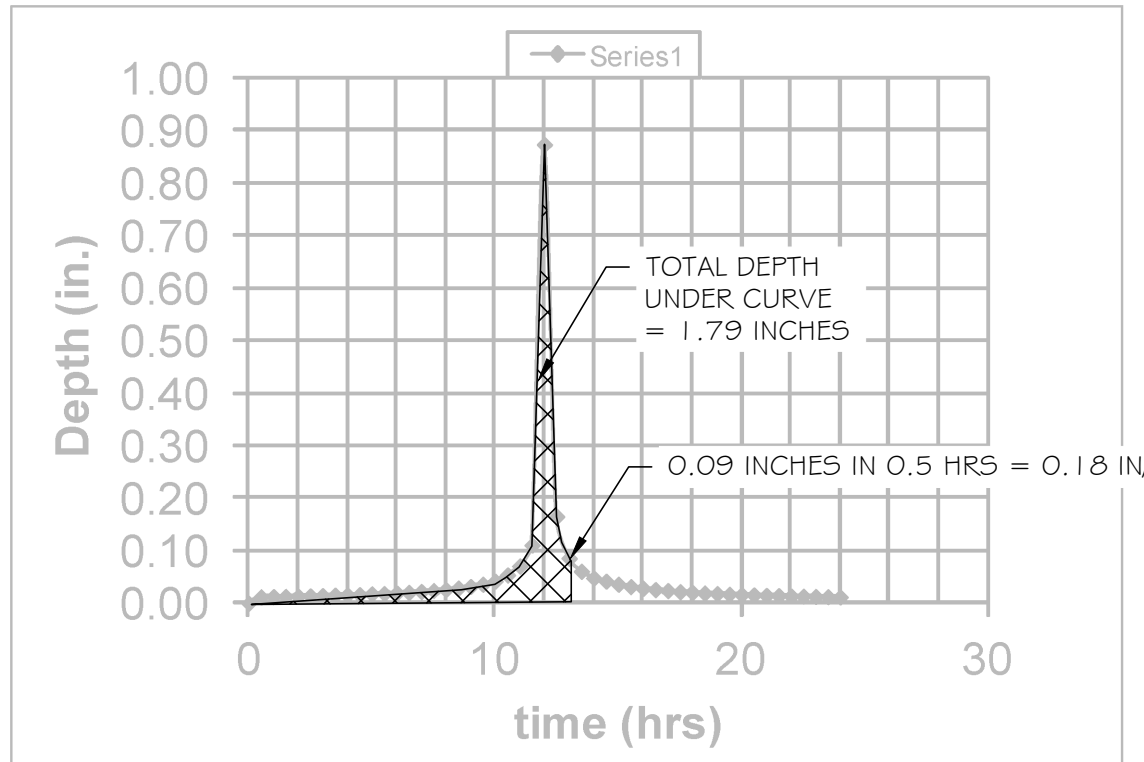
$$Q = \frac{(P - 0.2S)^2}{P + 0.8S}$$

$P = 1.79$ inches $Q = 0.27$ inches
 10 yr 24 hour trailing leg not exceeding 0.1 cfs
 $0.25 = 0.358$

It is assumed that the depth is uniform over the entire watershed.

Compute Volume of runoff

Volume = 7.680 cubic feet

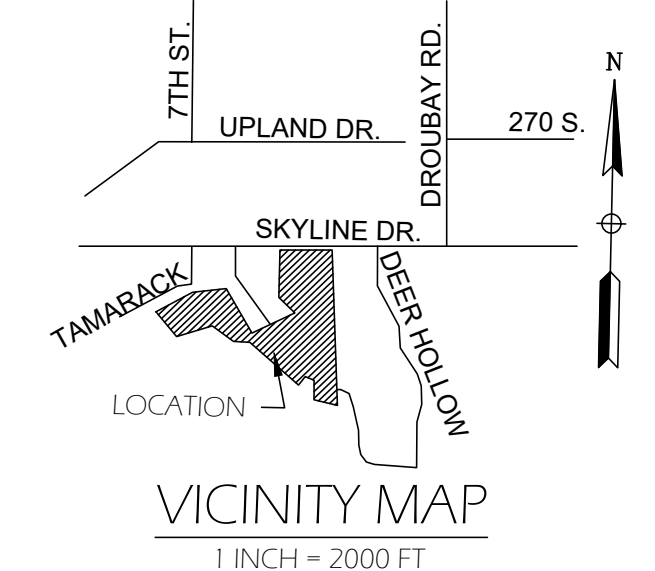
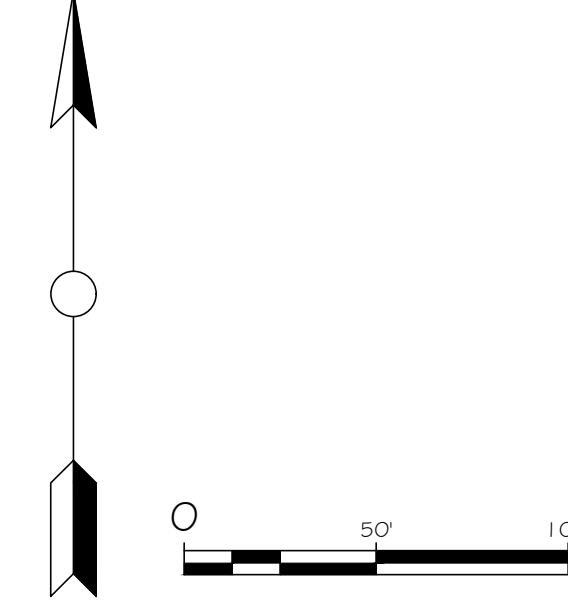


ALL IMPROVEMENTS SHALL BE PER CURRENT APWA STANDARD PLANS / SPECIFICATIONS, AND AS MODIFIED BY TOOELE CITY. TOOELE CITY MODIFIED PLANS MAY BE FOUND AT THE FOLLOWING LINK:
<http://tooelecitv.org/city-departments/engineering/city-standards/>

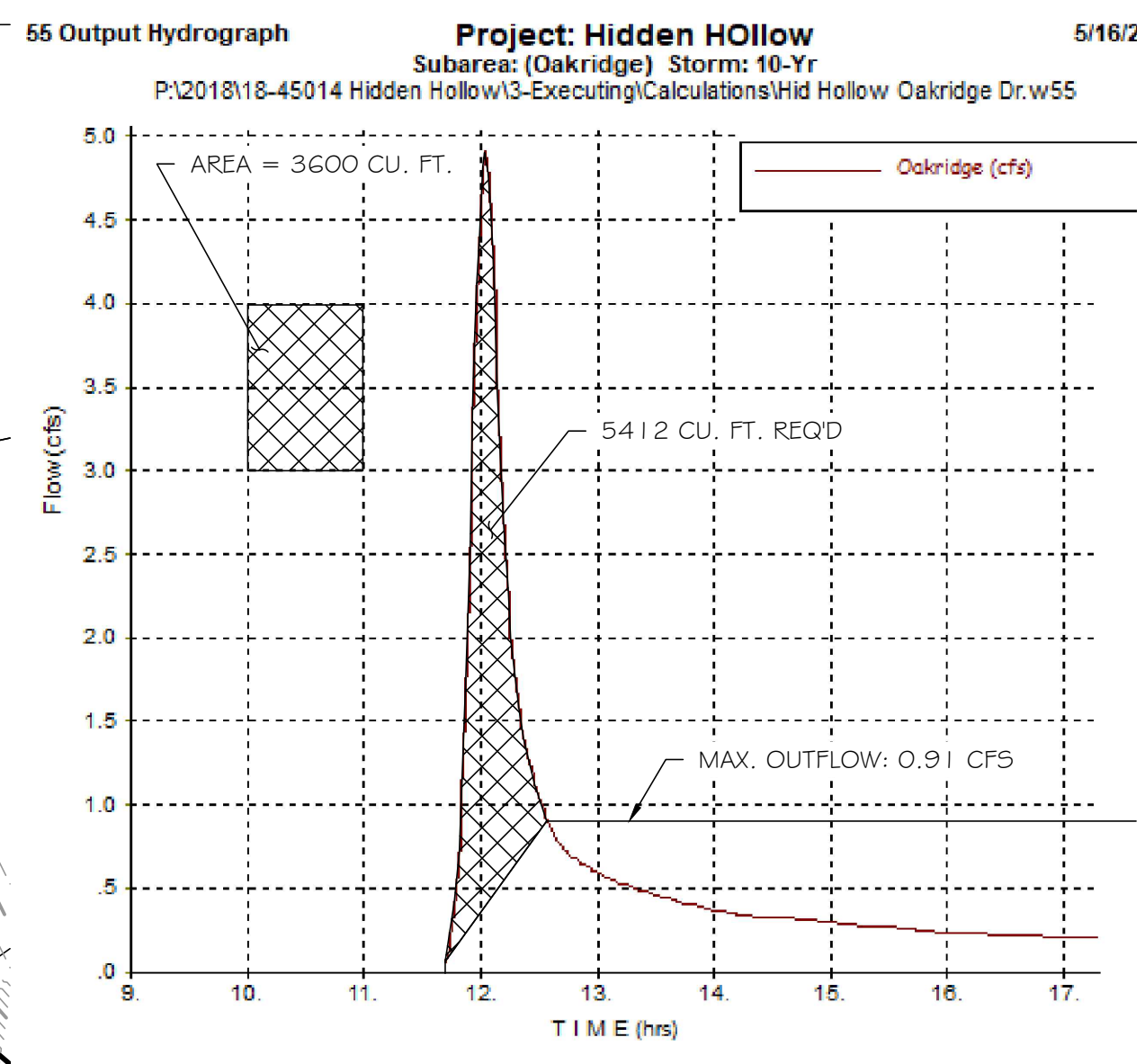
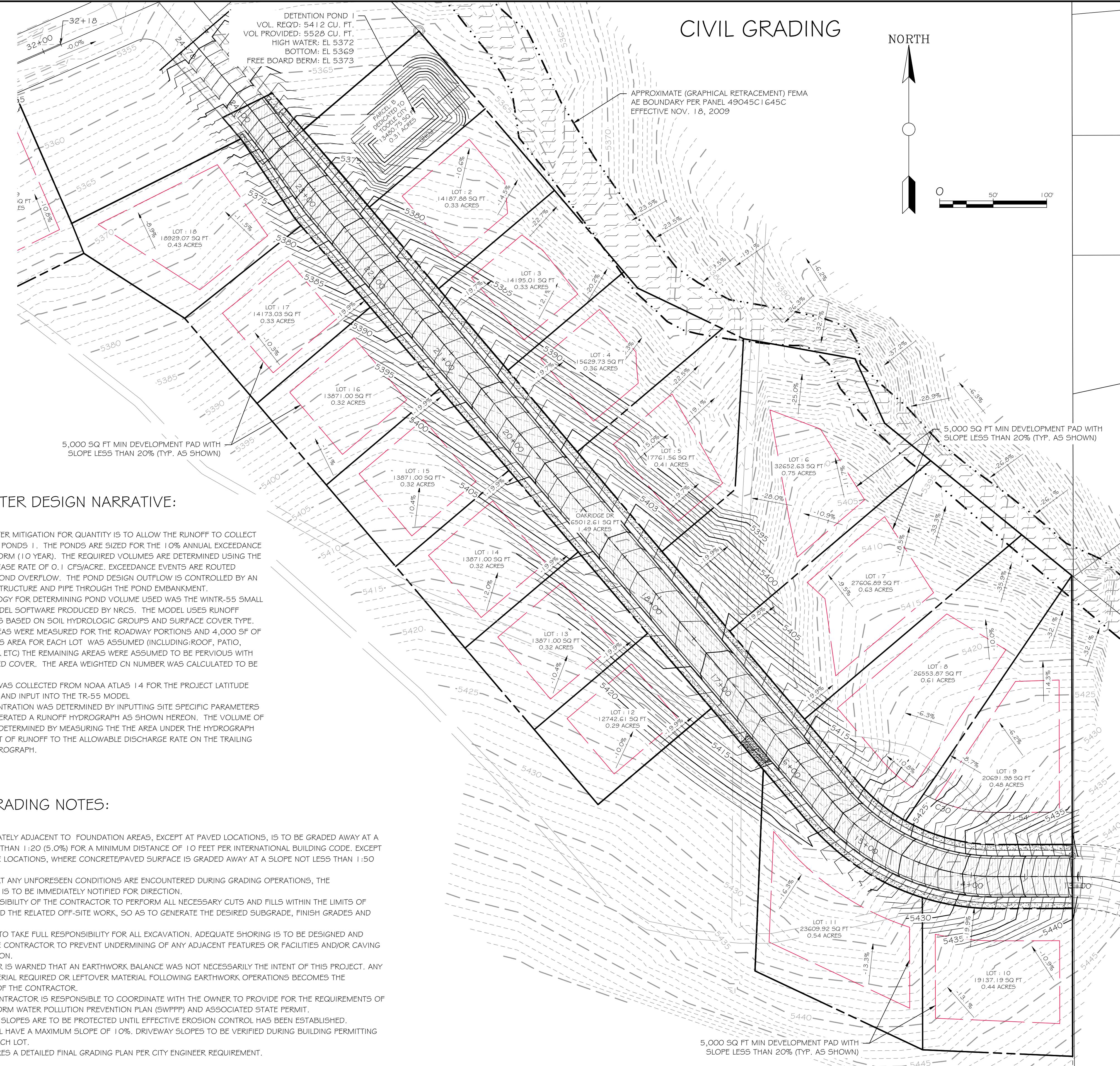
Project Name: HIDDEN HOLLOW SUBDIVISION	Project Number	18-45014	Designed By	BVB								
	Drawn By	BVB	Date Issued	2019.07.29								
Project Name: TOOELE, TOOELE COUNTY, UTAH	<table border="1"> <tr> <th>No.</th> <th>Revisions</th> <th>By</th> <th>Date</th> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </table>				No.	Revisions	By	Date				
	No.	Revisions	By	Date								
Project Name: CIVIL PROJ-EX, INC ENGINEERS & PLANNERS 96 QUIRK STREET GRANTSVILLE, UTAH 84029	7/29/2019 9:17:20 PM Sheet Name: CG-101											

CIVIL GRADING

NORTH



APPROXIMATE (GRAPHICAL RETRACEMENT) FEMA AE BOUNDARY PER PANEL 49045C1645C EFFECTIVE NOV. 18, 2009



STORM WATER DESIGN NARRATIVE:

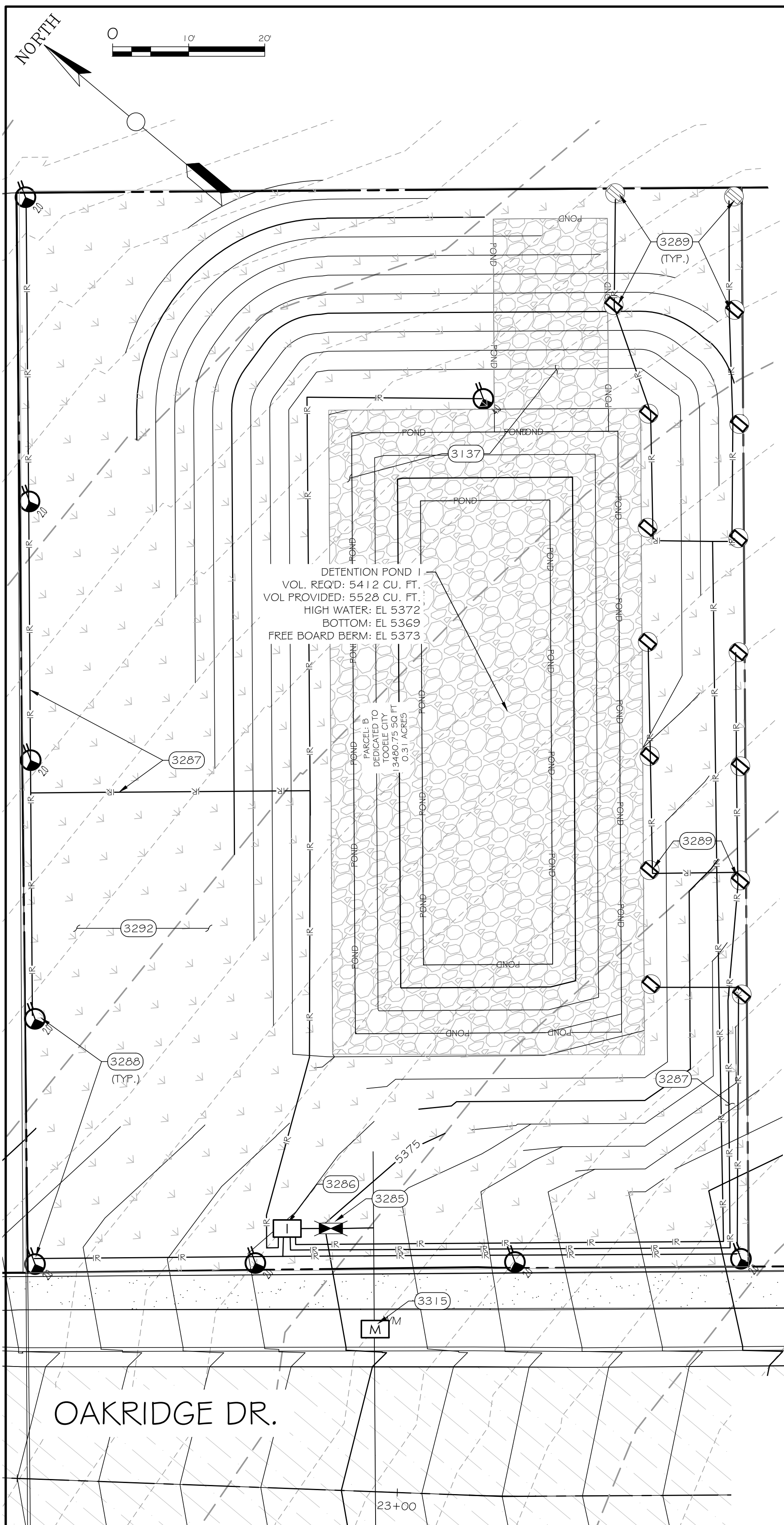
1. THE STORM WATER MITIGATION FOR QUANTITY IS TO ALLOW THE RUNOFF TO COLLECT INTO DETENTION PONDS 1. THE PONDS ARE SIZED FOR THE 10% ANNUAL EXCEEDANCE PROBABILITY STORM (10 YEAR). THE REQUIRED VOLUMES ARE DETERMINED USING THE ALLOWABLE RELEASE RATE OF 0.1 CFS/ACRE. EXCEEDANCE EVENTS ARE ROUTED THROUGH THE POND OVERFLOW. THE POND DESIGN OUTFLOW IS CONTROLLED BY AN ORIFICE PLATE STRUCTURE AND PIPE THROUGH THE POND EMBANKMENT.
2. THE METHODOLOGY FOR DETERMINING POND VOLUME USED WAS THE WINTR-55 SMALL WATERSHED MODEL SOFTWARE PRODUCED BY NRCS. THE MODEL USES RUNOFF CURVE NUMBERS BASED ON SOIL HYDROLOGIC GROUPS AND SURFACE COVER TYPE. IMPERVIOUS AREAS WERE MEASURED FOR THE ROADWAY PORTIONS AND 4,000 SF OF IMPERVIOUSNESS AREA FOR EACH LOT WAS ASSUMED (INCLUDING: ROOF, PATIO, SHED, SIDEWALK ETC) THE REMAINING AREAS WERE ASSUMED TO BE PERVIOUS WITH GOOD VEGETATED COVER. THE AREA WEIGHTED CN NUMBER WAS CALCULATED TO BE 72.
3. RAINFALL DATA WAS COLLECTED FROM NOAA ATLAS 14 FOR THE PROJECT LATITUDE AND LONGITUDE AND INPUT INTO THE TR-55 MODEL.
4. TIME OF CONCENTRATION WAS DETERMINED BY INPUTTING SITE SPECIFIC PARAMETERS.
5. THE MODEL GENERATED A RUNOFF HYDROGRAPH AS SHOWN HEREON. THE VOLUME OF THE POND WAS DETERMINED BY MEASURING THE THE AREA UNDER THE HYDROGRAPH FROM THE START OF RUNOFF TO THE ALLOWABLE DISCHARGE RATE ON THE TRAILING LEG OF THE HYDROGRAPH.

GENERAL GRADING NOTES:

- A. GROUND IMMEDIATELY ADJACENT TO FOUNDATION AREAS, EXCEPT AT PAVED LOCATIONS, IS TO BE GRADED AWAY AT A SLOPE NOT LESS THAN 1:20 (5.0%) FOR A MINIMUM DISTANCE OF 10 FEET PER INTERNATIONAL BUILDING CODE. EXCEPT AT EXIT/ENTRANCE LOCATIONS, WHERE CONCRETE/PAVED SURFACE IS GRADED AWAY AT A SLOPE NOT LESS THAN 1:50 (2.0%)
- B. IN THE EVENT THAT ANY UNFORESEEN CONDITIONS ARE ENCOUNTERED DURING GRADING OPERATIONS, THE OWNER/ENGINEER IS TO BE IMMEDIATELY NOTIFIED FOR DIRECTION.
- C. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO PERFORM ALL NECESSARY CUTS AND FILLS WITHIN THE LIMITS OF THIS PROJECT AND THE RELATED OFF-SITE WORK, SO AS TO GENERATE THE DESIRED SUBGRADE, FINISH GRADES AND SLOPES SHOWN.
- D. CONTRACTOR IS TO TAKE FULL RESPONSIBILITY FOR ALL EXCAVATION. ADEQUATE SHORING IS TO BE DESIGNED AND PROVIDED BY THE CONTRACTOR TO PREVENT UNDERMINING OF ANY ADJACENT FEATURES OR FACILITIES AND/OR CAVING OF THE EXCAVATION.
- E. THE CONTRACTOR IS WARNED THAT AN EARTHWORK BALANCE WAS NOT NECESSARILY THE INTENT OF THIS PROJECT. ANY ADDITIONAL MATERIAL REQUIRED OR LEFTOVER MATERIAL FOLLOWING EARTHWORK OPERATIONS BECOMES THE RESPONSIBILITY OF THE CONTRACTOR.
- F. THE GRADING CONTRACTOR IS RESPONSIBLE TO COORDINATE WITH THE OWNER TO PROVIDE FOR THE REQUIREMENTS OF THE PROJECT STORM WATER POLLUTION PREVENTION PLAN (SWPPP) AND ASSOCIATED STATE PERMIT.
- G. ALL CUT AND FILL SLOPES ARE TO BE PROTECTED UNTIL EFFECTIVE EROSION CONTROL HAS BEEN ESTABLISHED.
- H. DRIVEWAYS SHALL HAVE A MAXIMUM SLOPE OF 10%. DRIVEWAY SLOPES TO BE VERIFIED DURING BUILDING PERMITTING PROCESS FOR EACH LOT.
- I. EACH LOT REQUIRES A DETAILED FINAL GRADING PLAN PER CITY ENGINEER REQUIREMENT.

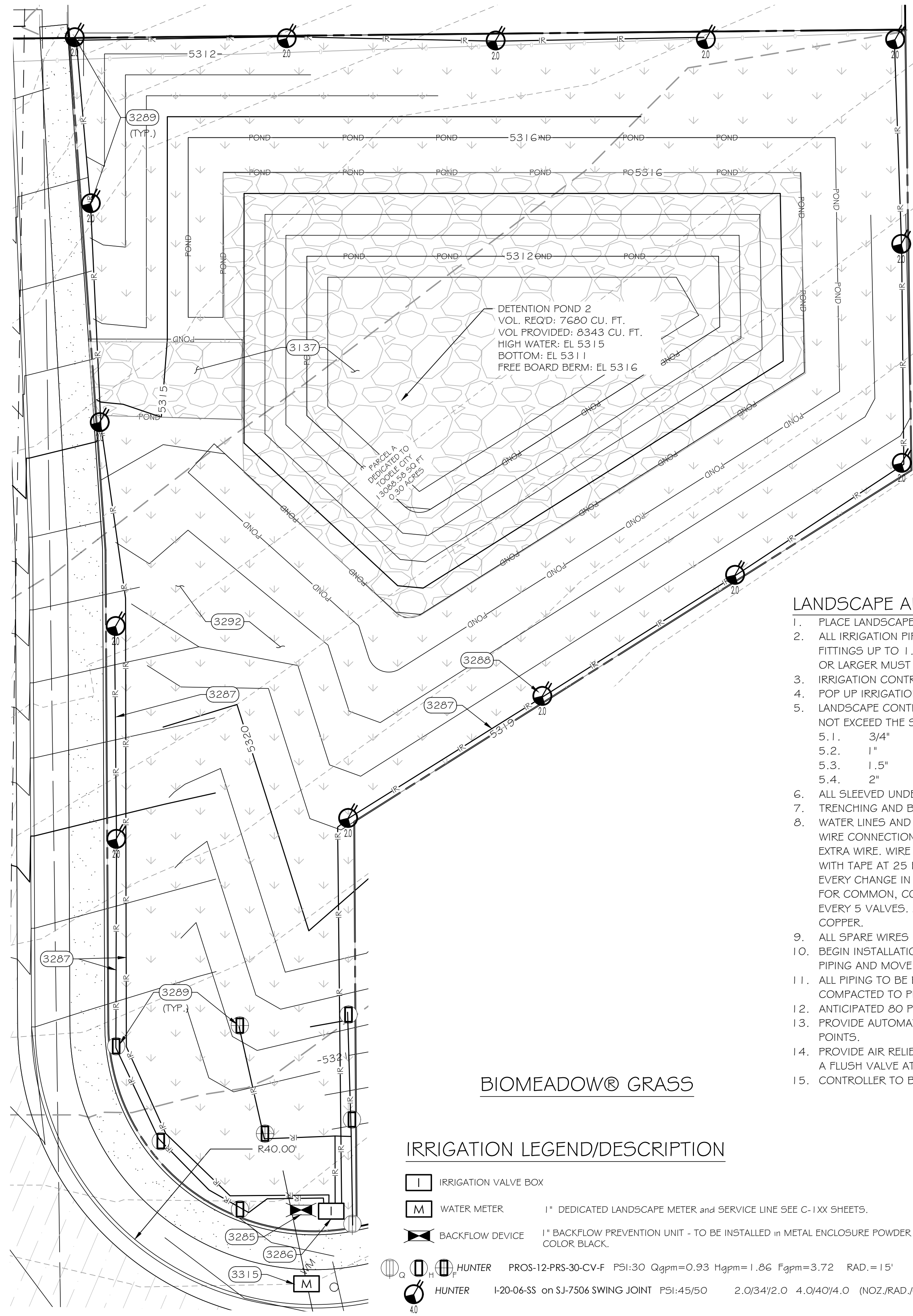
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Project Name: HIDDEN HOLLOW SUBDIVISION		Project Number: 18-45014		Designed By: BVB	
Project Location: TOOELE, TOOELE COUNTY, UTAH		Drawn By: BVB		Date Issued: 2019.07.29	
Project Name: CIVIL PROJ-EX, INC		Engineers & Planners 96 QUIRK STREET GRANTSVILLE, UTAH 84029		Revisions: By: _____ Date: _____	
Sheet Name: CG-102		7/29/2019 9:17:35 PM		No. _____ By: _____ Date: _____	



LANDSCAPE AND IRRIGATION

MOUNTAINEER DR.



NORTH

PAY ITEM DESCRIPTION

- 3137 4-INCH THICK ROCK MULCH ON WEED BARRIER GEOTEXTILE PER APWA SECTION 31 05 19
- 3315 1" WATER METER CONNECTED TO CULINARY WATER SERVICE. PER TOOELE CITY PLAN NO. 521R
- 3285 ABOVE GROUND BACKFLOW PREVENTION DEVICE PER TOOELE CITY PLAN NO. 593 R W/ STOP AND WASTE VALVE
- 3286 IRRIGATION CONTROL VALVES IN BOX
- 3287 1-INCH SCH. 40 PVC IRRIGATION PIPE, TYP.
- 3288 6-INCH POP UP NOZZLE IRRIGATION HEAD, TYP.
- 3289 1/2-INCH POP UP IRRIGATION SPRAY HEAD, TYP.
- 3292 LANDSCAPE TURF, (BIOMEADOW® SOD, OR EQUAL)

LANDSCAPE AND IRRIGATION NOTES:

1. PLACE LANDSCAPE FABRIC BELOW ROCK MULCH AREAS
2. ALL IRRIGATION PIPE TO BE SCHEDULE 40 PVC ASTM D784 OR 785. FITTINGS UP TO 1.5" MUST BE SCHEDULE 40 OR BETTER. FITTINGS 1.5" OR LARGER MUST BE SCHEDULE 80 OR BETTER.
3. IRRIGATION CONTROL VALVES TO BE PER APWA PLAN NO. 633
4. POP UP IRRIGATION HEADS PER APWA PLAN NO. 622
5. LANDSCAPE CONTRACTOR TO ENSURE THE FOLLOWING PIPE SIZES DO NOT EXCEED THE SUGGESTED GPM LISTED BELOW.

5.1.	3/4"	8 GPM
5.2.	1"	12 GPM
5.3.	1.5"	30 GPM
5.4.	2"	50 GPM
6. ALL SLEEVED UNDER CONCRETE MUST BE A MINIMUM 6" DIAM.
7. TRENCHING AND BACKFILLING PER APWA PLAN NO. 651
8. WATER LINES AND ELECTRICAL LINE MUST NOT SHARE CONDUITS. ALL WIRE CONNECTIONS MUST BE CONTAINED IN VALVE BOX WITH 3 FT OF EXTRA WIRE. WIRE TO BE CONNECTED TO MAIN LINE PIPE WERE POSSIBLE WITH TAPE AT 25 FT INTERVALS. SLACK IN CONTROL WIRES REQUIRED AT EVERY CHANGE IN DIRECTION. WIRES MUST HAVE SEPARATE COLORS FOR COMMON, CONTROL AND SPARE. MINIMUM 1 SPARE WIRE FOR EVERY 5 VALVES. ALL CONTROL WIRES MUST BE INSULATED 14 GAGE COPPER.
9. ALL SPARE WIRES MUST "HOME RUN" TO THE CONTROLLER.
10. BEGIN INSTALLATION AT POINT OF CONNECTION TO THE WATER SERVICE PIPING AND MOVE TOWARD THE DOWN STREAM DIRECTION.
11. ALL PIPING TO BE BACKFILLED WITH CLEAN MATERIAL; SETTLED AND COMPACTED TO PROPER GRADE.
12. ANTICIPATED 80 PSI AT CONNECTION.
13. PROVIDE AUTOMATIC DRAIN VALVES IN THE MAIN LINE PIPING AT ALL LOW POINTS.
14. PROVIDE AIR RELIEF VALVES AT EACH HIGH POINT IN THE DRIP LINE, AND A FLUSH VALVE AT THE END OF EACH DRIPLINE.
15. CONTROLLER TO BE EQUIPPED WITH AUTOMATIC RAIN SHUT-OFF DEVICE.

BIOMEADOW® GRASS

IRRIGATION LEGEND/DESCRIPTION

- IRRIGATION VALVE BOX
- WATER METER 1" DEDICATED LANDSCAPE METER and SERVICE LINE SEE C-1XX SHEETS.
- BACKFLOW DEVICE 1" BACKFLOW PREVENTION UNIT - TO BE INSTALLED IN METAL ENCLOSURE POWDER COATED COLOR BLACK.
- HUNTER PROS-12-PRS-30-CV-F PSI:30 Qgpm=0.93 Hgpm=1.86 Fgpm=3.72 RAD.=15'
- HUNTER 1-20-06-SS ON SJ-7506 SWING JOINT PSI:45/50 2.0/34/1/2.0 4.0/40/4.0 (NOZ./RAD./GPM)

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PRELIMINARY PLAN	Designed By BVB	Date Issued 2019.07.29	Revisions	By Date
Project Number 18-45014	Drawn By BVB	No.		
HIDDEN HOLLOW SUBDIVISION TOOELE, TOOELE COUNTY, UTAH				
Project Name:				
CIVIL PROJ-EX, INC ENGINEERS + PLANNERS 96 QUIRK STREET GRANTSVILLE, UTAH 84029				
7/29/2019 9:26:32 PM Sheet Name:				
LS-101				

STAFF REPORT

January 5, 2021

To: Tooele City Planning Commission
Business Date: January 13, 2021

From: Planning Division
Community Development Department

Prepared By: Andrew Aagard, City Planner / Zoning Administrator

Re: Sunset Estates Phase 9 – Preliminary Plan Subdivision Request

Application No.: P20-535
Applicant: Russ Tolbert, representing Hallmark Homes
Project Location: Approximately 250 West 2280 North
Zoning: R1-10 Single Family Residential Zone
Acreage: 15.55 Acres (Approximately 677,358 ft²)
Request: Request for approval of a Preliminary Plan Subdivision in the R1-10 Single Family Residential zone regarding the creation of 46 single-family residential lots.

BACKGROUND

This application is a request for approval of a Preliminary Plan Subdivision for approximately 15.55 acres at approximately 250 West 2280 North. The property is currently zoned R1-10 Single Family Residential. The applicant is requesting that a Preliminary Plan Subdivision be approved to facilitate subdivision and development of the vacant property into 46 single-family residential lots and accommodating public rights-of-way.

ANALYSIS

General Plan and Zoning. The Land Use Map of the General Plan calls for the Medium Density Residential land use designation for the subject property. The property has been assigned the R1-10 Single Family Residential zoning classification, supporting approximately 4 dwelling units per acre. Properties to the south and the west are zoned R1-10 and are part of the Sunset Estates Subdivision. Properties to the east are zoned RR-5 Residential and are undeveloped ground. Property to the north is zoned R1-10 and is undeveloped. Mapping pertinent to the subject request can be found in Exhibit “A” to this report.

Subdivision Layout. The subdivision proposed to subdivide 15 acres into 46 single-family residential lots ranging in size from 10,000 square feet up to 14,000 square feet. Each lot meets or exceeds minimum lot size, lot width and lot frontage requirements of the R1-10 Residential zoning district.

All roads in the subdivision will be constructed to Tooele City standards for public roads and will eventually be dedicated as public streets for City ownership and maintenance. Roads will connect to existing street stubs in the Sunset Estates Phases 7 and 8 subdivisions. Approximately 600 feet of 2400 north will be constructed with this phase. The developer will be constructing curb, gutter and sidewalk along with 30 feet of asphalt the entire frontage.

There are no storm water detention basins associated with this phase. All storm water will drain to a

larger detention basin constructed in Phase 8 to the west.

Some of the lots along 2400 North are double fronting lots. The development will be installing turf sod and an in-ground irrigation system with trees spaced approximately 30 feet on center. A 6 foot vinyl fence will be installed on the rear property line of those lots adjacent to 2400 North. These landscaped areas will be maintained by the North Tooele Special Service District of which Sunset estates is a part of. The District has reviewed and approved the plans for this subdivision and the associated landscaping.

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

REVIEWS

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

1. All lots within the subdivision meet or exceed minimum lot standards for lot width, lot size and lot frontages as required by the R1-10 Residential zoning district.
2. Frontage improvements along 2400 North will be installed by the developer and maintained by the North Tooele Special Service District.

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

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

1. The Public Works Division has no concerns or issues with the proposed subdivision plan.

STAFF RECOMMENDATION

Staff recommends approval of the request for a Preliminary Plan Subdivision by Russ Tolbert, representing Hallmark Homes, application number P20-535, subject to the following conditions:

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

This recommendation is based on the following findings:

1. The proposed development plans meet the intent, goals, and objectives of the Master Plan.
2. The proposed development plans meet the intent, goals, and objectives of the Tooele City General Plan.
3. The proposed development plans meet the requirements and provisions of the Tooele City Code.
4. 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.
5. The proposed development conforms to the general aesthetic and physical development of the area.
6. The public services in the area are adequate to support the subject development.
7. All lots within the subdivision meet or exceed minimum lot standards for lot width, lot size and lot frontages as required by the R1-10 Residential zoning district.

MODEL MOTIONS

Sample Motion for a Positive Recommendation – “I move we forward a positive recommendation to the City Council for the Sunset Estates Phase 9 Preliminary Plan Subdivision Request by Russ Tolbert, representing Hallmark Homes for the purpose of creating 46 single-family residential lots, application number P20-535, based on the findings and subject to the conditions listed in the Staff Report dated January 5, 2021:”

1. List any additional findings and conditions...

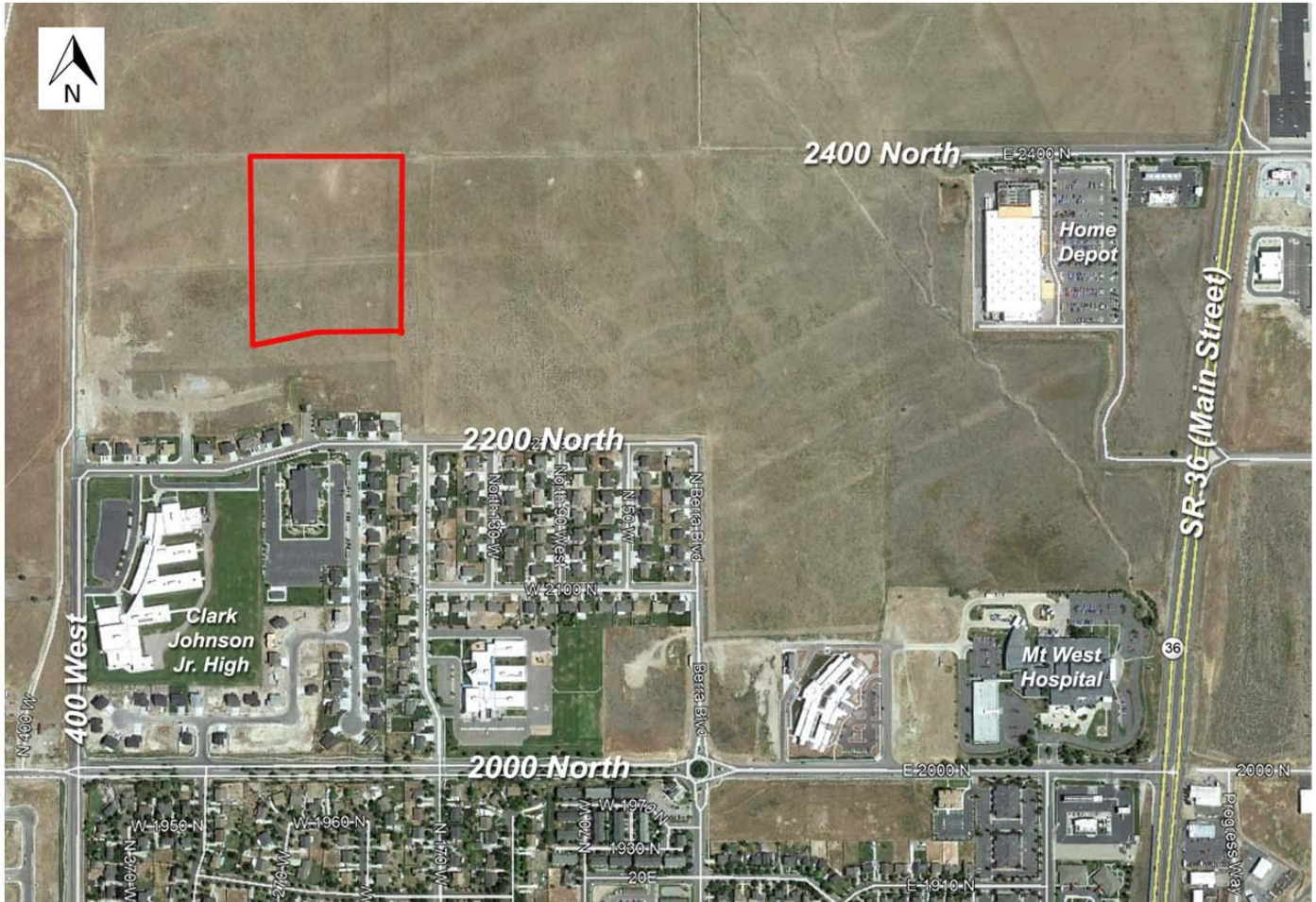
Sample Motion for a Negative Recommendation – “I move we forward a negative recommendation to the City Council for the Sunset Estates Phase 9 Preliminary Plan Subdivision Request by Russ Tolbert, representing Hallmark Homes for the purpose of creating 46 single-family residential lots, application number P20-535, based on the following findings:”

1. List findings...

EXHIBIT A

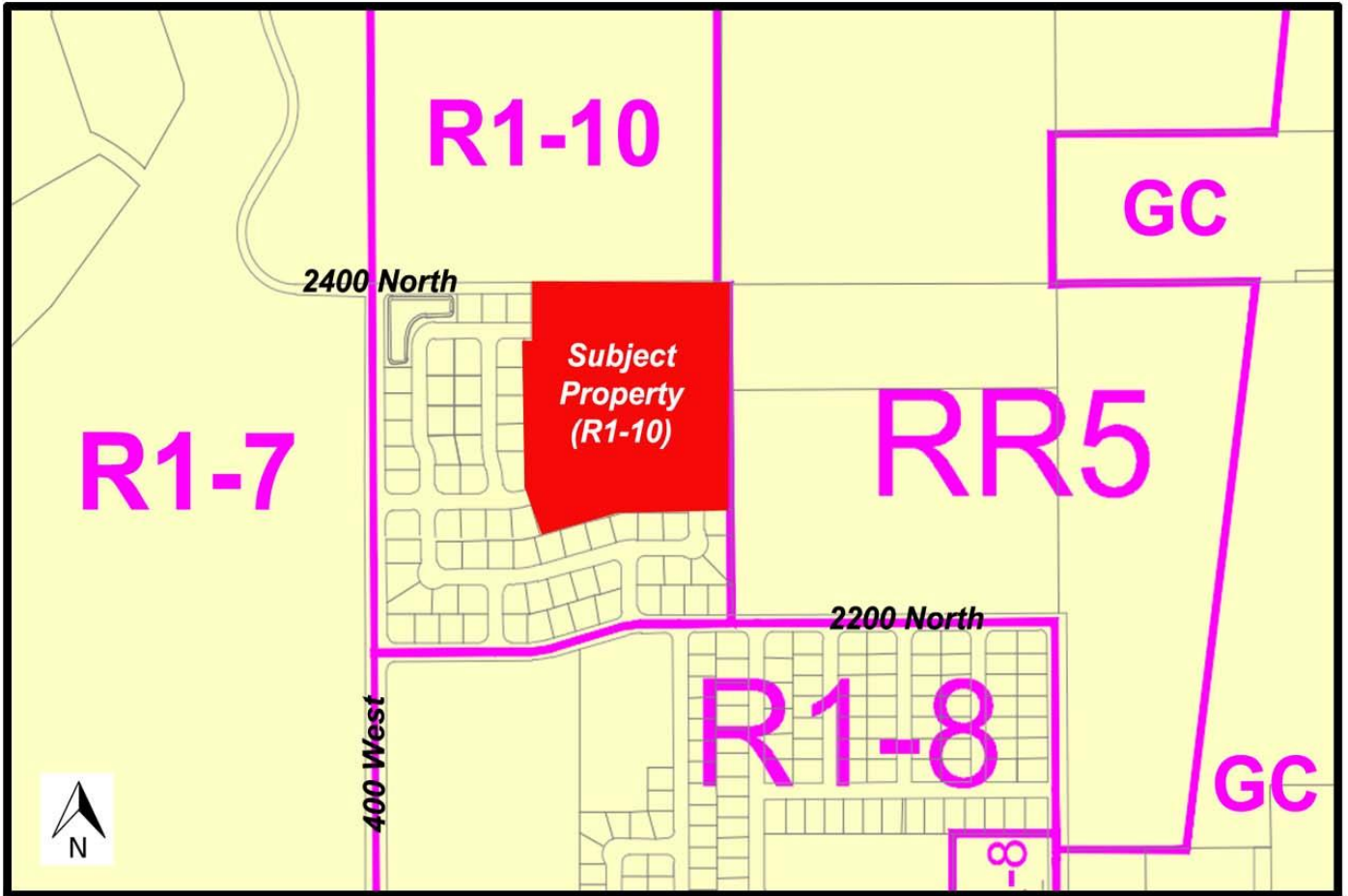
MAPPING PERTINENT TO THE SUNSET ESTATES PHASE 9 PRELIMINARY PLAN SUBDIVISION

Sunset Estates Phase 9 Preliminary Plan Subdivision



Aerial View

Sunset Estates Phase 9 Preliminary Plan Subdivision



Current Zoning

EXHIBIT B

APPLICANT SUBMITTED INFORMATION

Subdivision - Preliminary Plan Application

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



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

P20-535

Project Information					
Date of Submission: 6-25-2020	Submittal #: <input checked="" type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4	Zone: R-1-10	Acres: 15.55	Parcel #(s):	
Project Name: Sunset Estates Phase 9					
Project Address: 250 W. 2280 N.					
Project Description: 46 single family lots			Phases: 9	Lots: 46	
Property Owner(s): Tom Nixon			Applicant(s): Hallmark homes		
Address: 2964 W. 4700 S. Suite 112A			Address: 2964 W. 4700 S. Suite 112A		
City: WVC	State: UT	Zip: 84029	City: WVC	State: UT	Zip: 84029
Phone:	Email:	Phone: 801-967-1632	Email: Russ@Hallmarkhomesutah.com		
Contact Person: Russ Tolbert			Address: same		
Phone:	City:	State:	Zip:		
Cellular: 801-232-8900	Fax: 801-967-1900	Email: Russ@Hallmarkhomesutah.com			
Engineer & Company: Focus			Surveyor & Company:		
Address: 6949 S. High Tech Drive Suite 200			Address: same		
City: Midvale	State: UT	Zip: 84047	City:	State:	Zip:
Phone: 801-352-0075	Email: Focus@utah.com		Phone:	Email:	

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

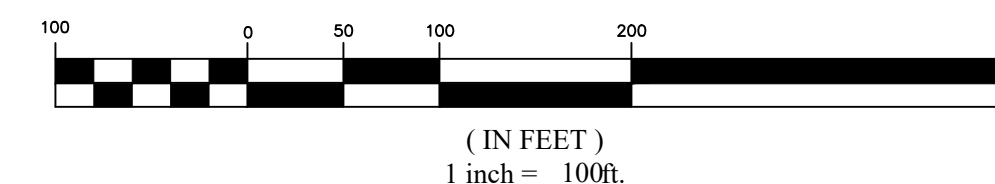
For Office Use Only					
Land Use Review:	Date:	Water Superintendent Review:	Date:	City Engineer Review:	Date:
Planning Review:	Date:	Reclamation Superintendent Review:	Date:	Director Review:	Date:
Fire Flow Test					
Location:	Residual Pressure:	Flow (gpm):	Min. Required Flow (gpm):		
Performed By: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

SUNSET ESTATES SUBDIVISION

PHASE 9
PRELIMINARY PLAT
LOCATED IN THE SW1/4 OF SECTION 9, T3S, R4W,
SALT LAKE BASE & MERIDIAN
TOOELE CITY, TOOELE COUNTY, UTAH



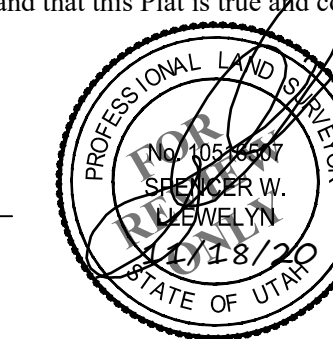
GRAPHIC SCALE



SURVEYOR'S CERTIFICATE

I, Spencer W. Llewellyn, do hereby certify that I am a Professional Land Surveyor, and that I hold Certificate No. 10516507 in accordance with Title 58, Chapter 22 of Utah State Code. I further certify by authority of the owners(s) that I have completed a Survey of the property described on this Plat in accordance with Section 17-23-17 of said Code, and have subdivided said tract of land into lots, streets, and easements, and the same has, or will be correctly surveyed, staked and monumented on the ground as shown on this Plat, and that this Plat is true and correct.

SPENCER W. LLEWELLYN
PROFESSIONAL LAND SURVEYOR
CERTIFICATE NO. 10516507



11/18/2020
DATE

BOUNDARY DESCRIPTION

A portion of the SW1/4 of Section 9, Township 3 South, Range 4 West, Salt Lake Base and Meridian, more particularly described as follows:

Beginning at a point located N89°41'22"E along the 1/4 Section line 614.33 feet from the West 1/4 Corner of Section 9, T3S, R4W, SLB&M; thence N89°41'22"E along the 1/4 Section line 769.66 feet to the Northwest Corner of that Real Property described in Deed Entry No. 258090 of the Official Records of Tooele County; thence S00°23'38"E along said deed and along the Westerly line of that Real Property described in Deed Entry No. 258290 of the Official Records of Tooele County 828.99 feet to the Northeastly Corner of Lot 714, SUNSET ESTATES SUBDIVISION PHASE 7, according to Official Plat thereof recorded April 13, 2018 as Entry No. 466142 of the Official Records of Tooele County; thence along said plat the following (4) four courses: 1) S89°36'22"W 168.68 feet; 2) S00°22'44"E 10.51 feet; 3) S89°41'58"W 255.74 feet; 4) S75°02'02"W 332.84 feet to the Southwest Corner of Lot 816, SUNSET ESTATES SUBDIVISION PHASE 8, according to Official Plat thereof recorded September 10, 2019 as Entry No. 493357 of the Official Records of Tooele County; thence along said plat the following (8) eight courses: 1) N14°57'58"W 165.00 feet; 2) S75°02'02"W 12.07 feet; 3) N00°22'51"W 143.32 feet; 4) S89°41'22"W 2.00 feet; 5) N00°22'51"W 417.01 feet; 6) N89°41'22"E 31.85 feet; 7) N00°22'44"W 165.00 feet; 8) N00°18'38"W 42.00 feet to the point of beginning.

Contains: 15.55 acres +/-

OWNERS DEDICATION

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

SUNSET ESTATES SUBDIVISION PHASE 9

DO HEREBY DEDICATE FOR PERPETUAL USE OF THE PUBLIC ALL STREETS AND OTHER PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE. THE UNDERSIGNED OWNERS ALSO HEREBY CONVEY TO TOOELE CITY AND TO ANY AND ALL PUBLIC UTILITY COMPANIES A PERPETUAL, NON-EXCLUSIVE EASEMENT OVER THE PUBLIC UTILITY AND DRAINAGE EASEMENTS SHOWN ON THIS PLAT. THE SAME TO BE USED FOR DRAINAGE AND FOR THE INSTALLATION, MAINTENANCE AND OPERATION OF UTILITY LINES AND FACILITIES. THE UNDERSIGNED OWNER ALSO HEREBY CONVEYS ANY OTHER EASEMENTS AS SHOWN ON THIS PLAT TO THE PARTIES INDICATED AND FOR THE PURPOSES SHOWN HEREON.

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

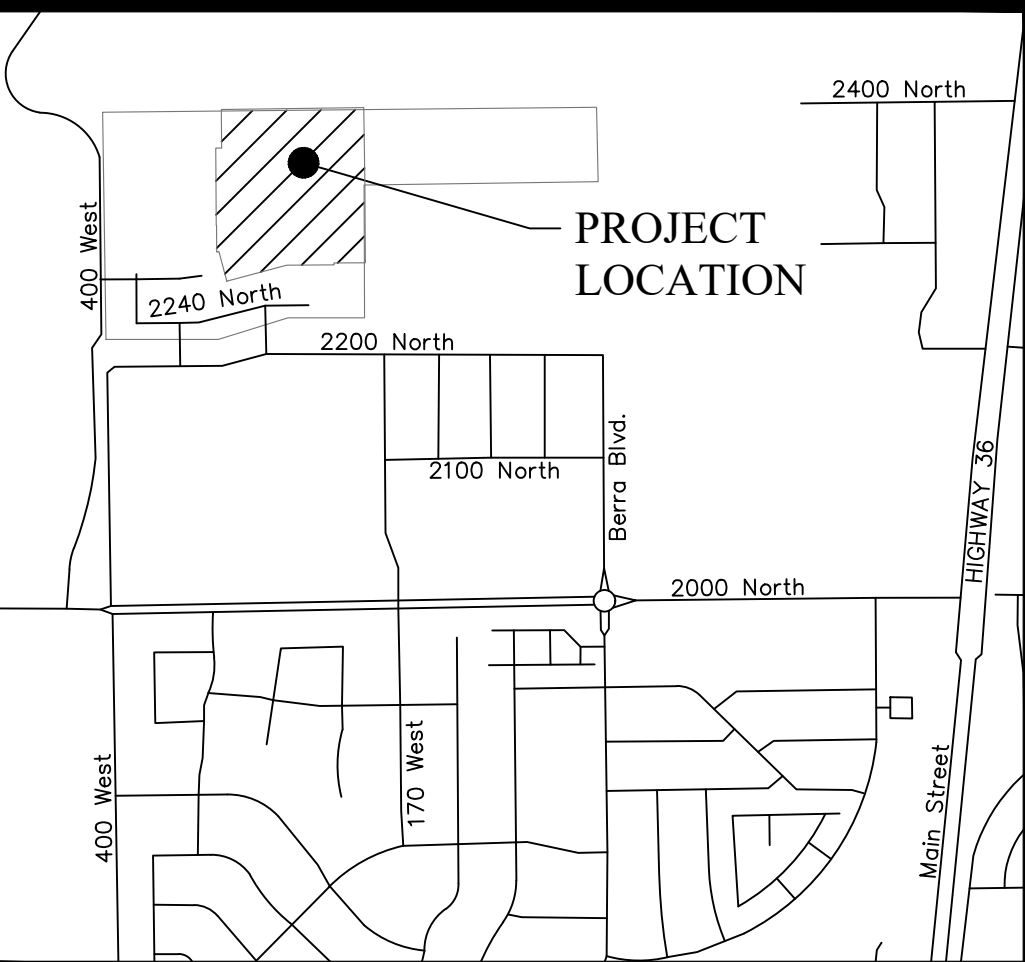
RUSTIN J. TOLBERT
PRESIDENT, HALLMARK HOMES & DEVELOPMENT, INC.

CORPORATE ACKNOWLEDGMENT

STATE OF UTAH
S.S.
COUNTY OF _____
ON THE _____ DAY OF _____ A.D. 20__ PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR THE COUNTY OF _____ IN SAID STATE OF UTAH, _____, WHO AFTER BEING DULY SWORN, ACKNOWLEDGED TO ME THAT HE IS THE _____ OF _____ A UTAH INC. AND THAT HE SIGNED THE OWNERS DEDICATION FREELY AND VOLUNTARILY FOR AND IN BEHALF OF SAID COMPANY FOR THE PURPOSES THEREIN MENTIONED.

MY COMMISSION EXPIRES: _____ A NOTARY PUBLIC COMMISSIONED IN UTAH RESIDING IN _____ COUNTY
MY COMMISSION No. _____ PRINTED FULL NAME OF NOTARY

LEGEND	
	BOUNDARY
	SECTION LINE
	PUBLIC UTILITY AND DRAINAGE EASEMENT
	RIGHT-OF-WAY LINE
	EXISTING PROPERTY LINE
	SECTION MONUMENT (FOUND)
	STREET MONUMENT (TO BE SET)
(M-M)	MONUMENT TO MONUMENT
(M-B)	MONUMENT TO BOUNDARY
	BOUNDARY MARKER
	STREET MONUMENT (EXISTING)



VICINITY MAP

N.T.S

LEGEND:

- #5x24" REBAR & CAP (FOCUS ENG.) TO BE SET AT ALL REAR LOT CORNERS. PIN TO BE SET AT CURB AT THE EXTENSION OF THE SIDE LOT LINES.
- STREET MONUMENTS TO BE SET PER TOOELE COUNTY SURVEYOR'S SPECIFICATIONS.
- PUBLIC UTILITY AND DRAINAGE EASEMENT (PU&DE)

WEST 1/4 CORNER OF SECTION 9, T3S, R4W SLB&M
2016 TOOELE COUNTY FLAT BRASS MONUMENT



SOUTHWEST CORNER OF SECTION 9, T3S, R4W SLB&M
2000 TOOELE COUNTY FLAT BRASS MONUMENT (RING & LID)

SOUTH 1/4 CORNER OF SECTION 9, T3S, R4W SLB&M
2001 TOOELE COUNTY FLAT BRASS MONUMENT

BASIS OF BEARING MEASURED: N89°41'57"E 2,643.70
(RECORD N89°41'56"E 2,643.81)

PAGE: 1 OF 2 DATE: 11/18/2020

RECORD OF SURVEY	
OWNER/DEVELOPER HALLMARK HOMES 2964 WEST 4700 SOUTH SUITE 1 SALT LAKE CITY, UTAH 84118 (801) 232-8900 CONTACT: RUSS TOLBERT	PER STATE STATUTE 17-23-17, A SURVEY THAT INCLUDES THE LANDS SHOWN HEREON HAS BEEN COMPLETED AND FILED IN THE OFFICE OF THE TOOELE COUNTY SURVEYOR AND ASSIGNED FILE No. 2017-0008

POST MASTER	COMCAST
APPROVED THIS _____ DAY OF _____ A.D. 20__ BY THE POST MASTER.	APPROVED THIS _____ DAY OF _____ A.D. 20__ BY COMCAST CABLE.
POST MASTER	COMCAST

SCHOOL DISTRICT	COUNTY RECORDER	CENTURY LINK	CHIEF OF POLICE	FIRE CHIEF	PARKS DEPARTMENT	NORTH TOOELE CITY SPECIAL SERVICE DISTRICT
APPROVED THIS _____ DAY OF _____ A.D. 20__ BY THE TOOELE COUNTY SCHOOL DISTRICT.	REVIEWED THIS _____ DAY OF _____ A.D. 20__ BY THE TOOELE COUNTY RECORDER AS TO DESCRIPTION OF RECORD.	APPROVED THIS _____ DAY OF _____ A.D. 20__ BY CENTURY LINK.	APPROVED THIS _____ DAY OF _____ A.D. 20__ BY THE TOOELE CITY CHIEF OF POLICE.	APPROVED THIS _____ DAY OF _____ A.D. 20__ BY THE TOOELE CITY FIRE DEPARTMENT.	APPROVED THIS _____ DAY OF _____ A.D. 20__ BY THE TOOELE CITY PARKS DEPARTMENT.	APPROVED THIS _____ DAY OF _____ A.D. 20__ BY THE NORTH TOOELE CITY SPECIAL SERVICE DISTRICT.
TOOELE COUNTY SCHOOL DISTRICT	TOOELE COUNTY RECORDER	CENTURY LINK	TOOELE CITY CHIEF OF POLICE	TOOELE CITY FIRE CHIEF	TOOELE CITY PARKS DEPARTMENT	NORTH TOOELE CITY SPECIAL SERVICE DISTRICT

PREPARED BY	COUNTY HEALTH DEPARTMENT	PLANNING COMMISSION	CITY ATTORNEY	CITY ENGINEER	COMMUNITY DEVELOPMENT	TOOELE COUNTY SURVEY DEPARTMENT	COUNTY TREASURER
FOCUS ENGINEERING AND SURVEYING, LLC 6949 SOUTH HIGH TECH DRIVE SUITE 200 MIDVALE, UT 84047 TEL: (801) 552-0075 www.focusutah.com	APPROVED THIS _____ DAY OF _____ A.D. 20__ BY THE TOOELE COUNTY HEALTH DEPARTMENT.	APPROVED THIS _____ DAY OF _____ A.D. 20__ BY THE TOOELE CITY PLANNING COMMISSION.	APPROVED AS TO FORM THIS _____ DAY OF _____ A.D. 20__	APPROVED AS TO FORM THIS _____ DAY OF _____ A.D. 20__	APPROVED AS TO FORM THIS _____ DAY OF _____ A.D. 20__	APPROVED THIS _____ DAY OF _____ A.D. 20__ ROS MAP # 2017-0008	APPROVED THIS _____ DAY OF _____ A.D. 20__ BY THE TOOELE COUNTY TREASURER. PROPERTY TAXES DUE AND OWING HAVE BEEN PAID IN FULL.
	TOOELE COUNTY HEALTH DEPARTMENT	CHAIR, TOOELE CITY PLANNING COMMISSION	TOOELE CITY ATTORNEY	TOOELE CITY ENGINEER	TOOELE CITY COMMUNITY DEVELOPMENT	TOOELE COUNTY SURVEY DEPARTMENT	TOOELE COUNTY TREASURER

SUNSET ESTATES SUBDIVISION
PHASE 9
PRELIMINARY PLAT
LOCATED IN THE SW1/4 OF SECTION 9, T3S, R4W,
SALT LAKE BASE & MERIDIAN
TOOELE CITY, TOOELE COUNTY, UTAH

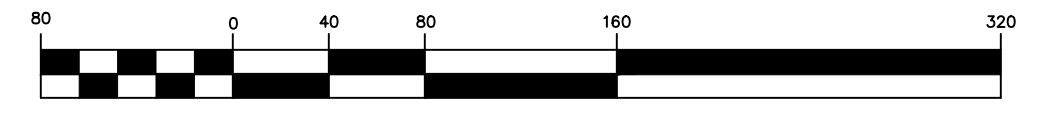
Z:\2020\20-070 Sunset Estates Ph. 9\design\20-070\dwg\sheets\C21 preliminary plat.dwg

SUNSET ESTATES SUBDIVISION

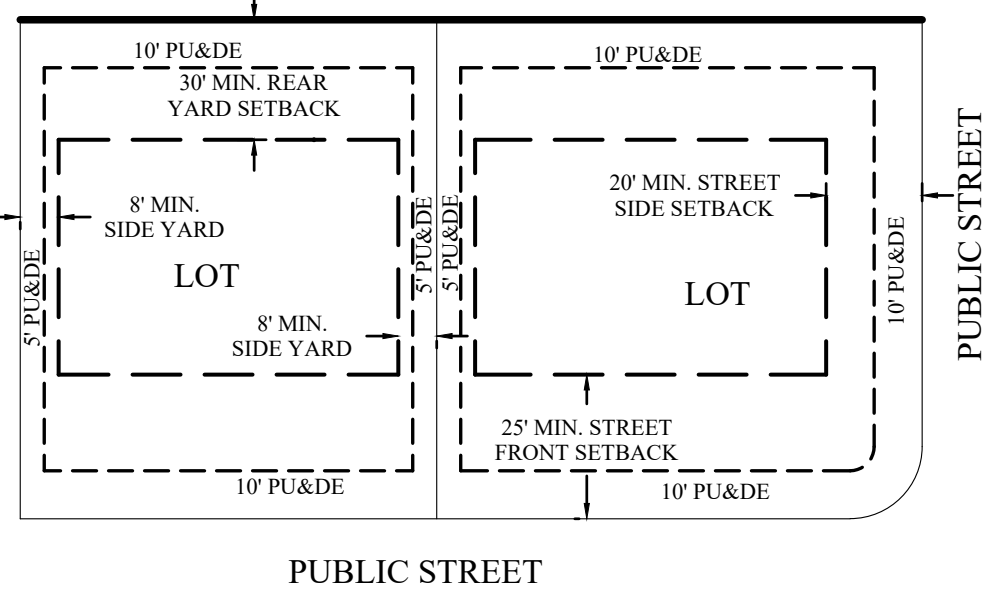
PHASE 9
PRELIMINARY PLAT
LOCATED IN THE SW 1/4 OF SECTION 9, T3S, R4W,
SALT LAKE BASE & MERIDIAN
TOOELE CITY, TOOELE COUNTY, UTAH



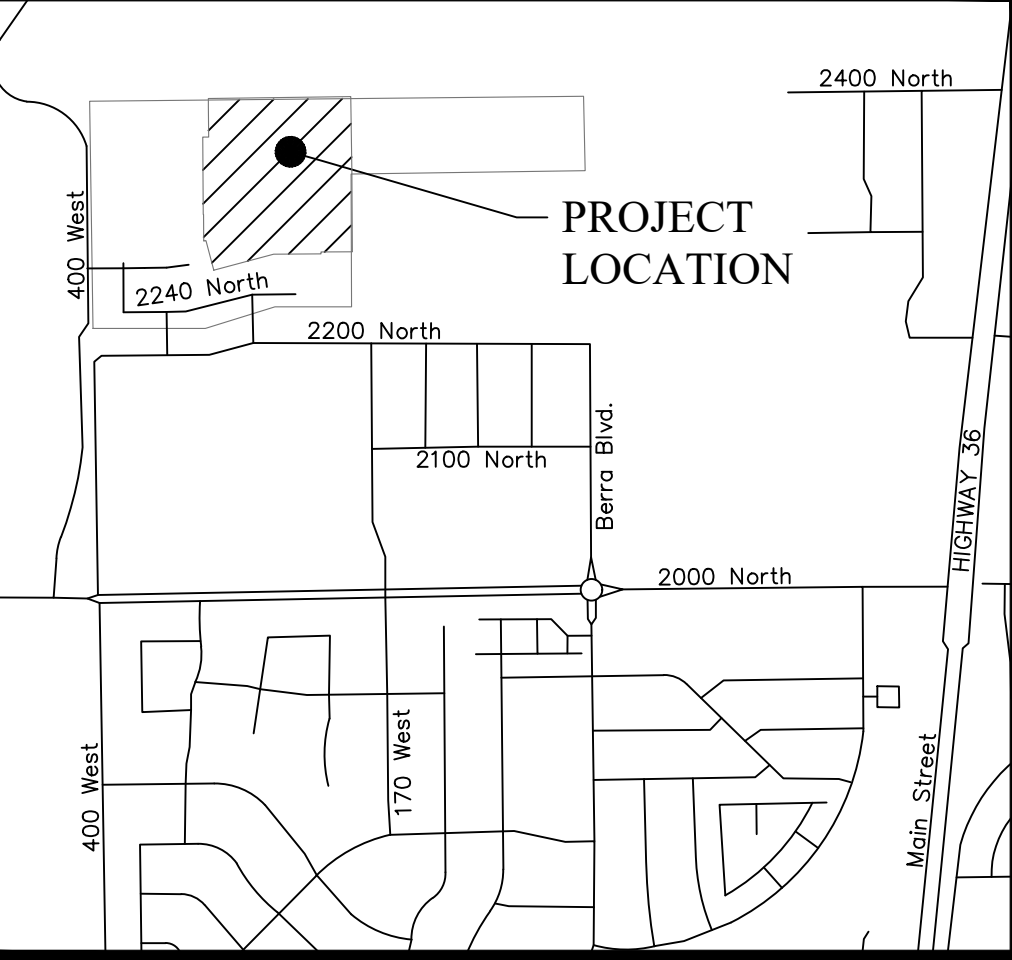
GRAPHIC SCALE



(IN FEET)
1 inch = 80 ft.



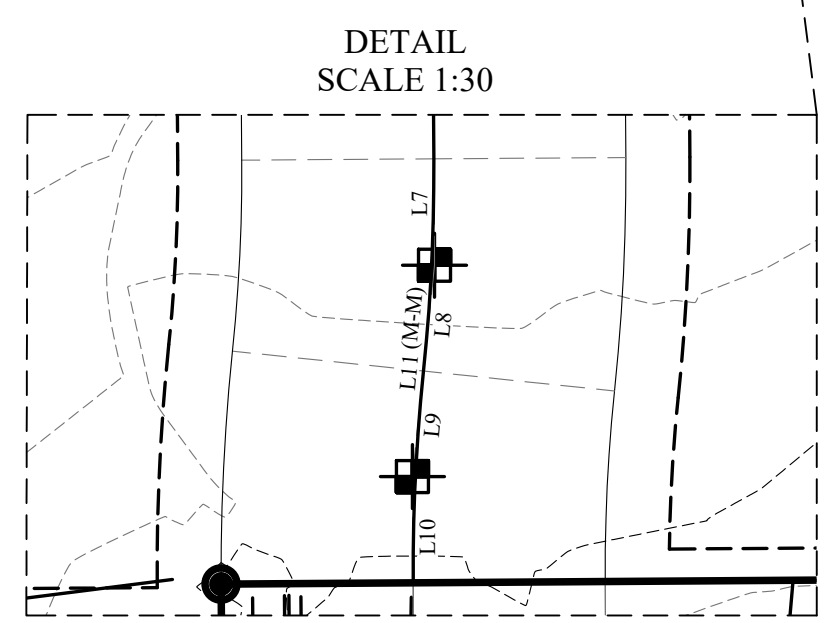
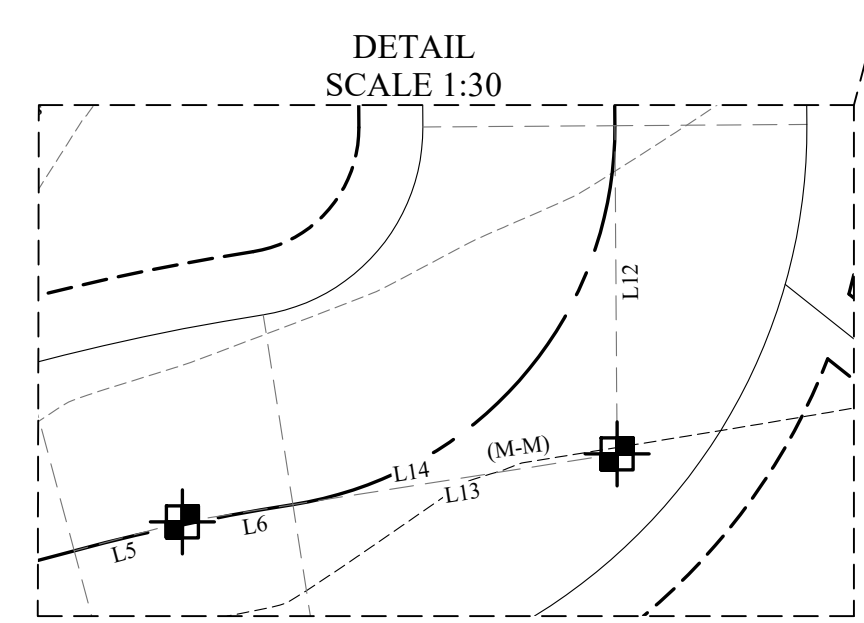
TYPICAL BUILDING SETBACKS
N.T.S.



VICINITY MAP

- N.T.S.
- LEGEND:
- #5x24" REBAR & CAP (FOCUS ENG.) TO BE SET AT ALL REAR LOT CORNERS. PIN TO BE SET AT CURB AT THE EXTENSION OF THE SIDE LOT LINES.
 - STREET MONUMENTS TO BE SET PER TOOELE COUNTY SURVEYOR'S SPECIFICATIONS.
 - PUBLIC UTILITY AND DRAINAGE EASEMENT (PU&DE)

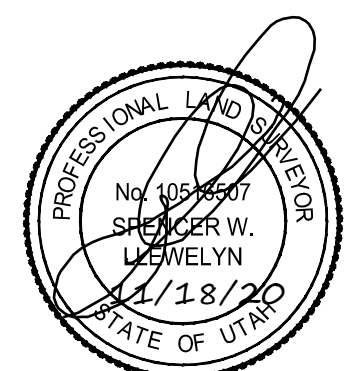
- LEGEND
- BOUNDARY
 - SECTION LINE
 - PUBLIC UTILITY AND DRAINAGE EASEMENT
 - RIGHT-OF-WAY LINE
 - EXISTING PROPERTY LINE
 - SECTION MONUMENT (FOUND)
 - STREET MONUMENT (TO BE SET)
 - (M-M) MONUMENT TO MONUMENT
 - (M-B) MONUMENT TO BOUNDARY
 - BOUNDARY MARKER
 - STREET MONUMENT (EXISTING)



Curve Table					
CURVE	RADIUS	DELTA	LENGTH	CHORD DIRECTION	CHORD LENGTH
C1	59.50	89°55'47"	93.39	N45°20'45"W	84.09
C2	59.50	81°28'56"	84.62	S40°21'37"W	77.66
C3	59.50	90°04'13"	93.84	S44°39'15"W	84.20
C4	300.00	6°20'41"	33.22	S02°46'43"W	33.20
C5	300.00	6°19'48"	33.14	S02°47'10"W	33.13
C6	59.00	94°34'26"	97.39	S65°19'26"E	86.70
C7	59.00	50°10'12"	51.66	S07°02'53"W	50.03
C8	15.00	32°30'50"	8.51	S15°52'34"W	8.40
C9	15.00	32°30'50"	8.51	N73°25'57"E	8.40
C10	59.00	10°12'49"	10.52	N62°16'56"E	10.50
C12	29.50	104°35'07"	53.85	S52°40'24"E	46.68
C13	15.00	32°26'22"	8.49	N16°36'02"W	8.38
C14	29.50	89°55'47"	46.30	N45°20'45"W	41.69
C15	59.00	2°52'52"	2.97	N31°22'47"W	2.97
C16	29.50	75°24'53"	38.83	N37°19'36"E	36.09
C17	360.00	6°04'03"	38.12	N78°04'04"E	38.11
C18	29.50	81°28'56"	41.95	N40°21'37"E	38.51
C19	59.00	79°29'58"	81.86	N09°48'38"E	75.45
C20	59.00	72°34'07"	74.73	N85°59'40"E	69.83
C21	15.00	12°23'04"	3.24	S84°07'07"E	3.24
C23	29.50	89°55'01"	46.30	S45°21'08"E	41.69
C24	29.50	90°04'59"	46.38	N44°38'52"E	41.75
C25	29.50	90°04'59"	46.38	S44°38'52"W	41.75
C26	330.00	6°19'48"	36.46	N02°47'10"E	36.44
C27	330.00	6°20'41"	36.54	S02°46'43"W	36.52
C28	270.00	6°19'42"	29.82	S02°47'12"W	29.81
C29	270.00	6°20'41"	29.90	N02°46'43"E	29.88
C30	29.50	89°55'01"	46.30	S45°21'08"E	41.69
C31	89.50	16°12'04"	25.31	S07°43'11"W	25.22
C32	29.50	90°04'13"	46.37	S44°39'15"W	41.74
C33	89.50	47°38'16"	74.41	S39°38'21"W	72.29
C34	89.50	17°38'36"	27.56	S72°16'47"W	27.45
C35	300.00	6°04'03"	31.77	S78°04'04"W	31.75
C36	330.00	6°04'03"	34.95	S78°04'04"W	34.93
C37	89.50	81°28'56"	127.28	S40°21'37"W	116.82
C38	59.00	154°57'27"	159.57	N45°20'45"W	115.19
C39	59.00	154°56'57"	159.56	N44°39'15"E	115.19
C40	15.00	20°03'18"	5.25	S67°53'55"E	5.22

Line Table		
LINE	DIRECTION	LENGTH
L1	N00°22'51"W	59.43
L2	S89°41'22"W	59.43
L3	N89°41'22"E	59.57
L4	N00°22'51"W	59.57
L5	N75°02'02"E	17.49
L6	S81°06'05"W	17.49
L7	N00°23'38"W	16.63
L8	N05°57'04"E	16.63
L9	N05°57'04"E	16.59
L10	S00°22'44"E	16.59
L11	N05°57'04"E	33.22
L12	S00°22'51"E	51.25
L13	S81°06'05"W	51.25
L14	N81°06'05"E	68.74
L16	S89°41'22"W	42.72
L17	N89°41'22"E	45.03

PREPARED BY
FOCUS
ENGINEERING AND SURVEYING, LLC
6949 SOUTH HIGH TECH DRIVE SUITE 200
MIDVALE, UT 84047 TEL: (801) 552-0075
www.focusutah.com

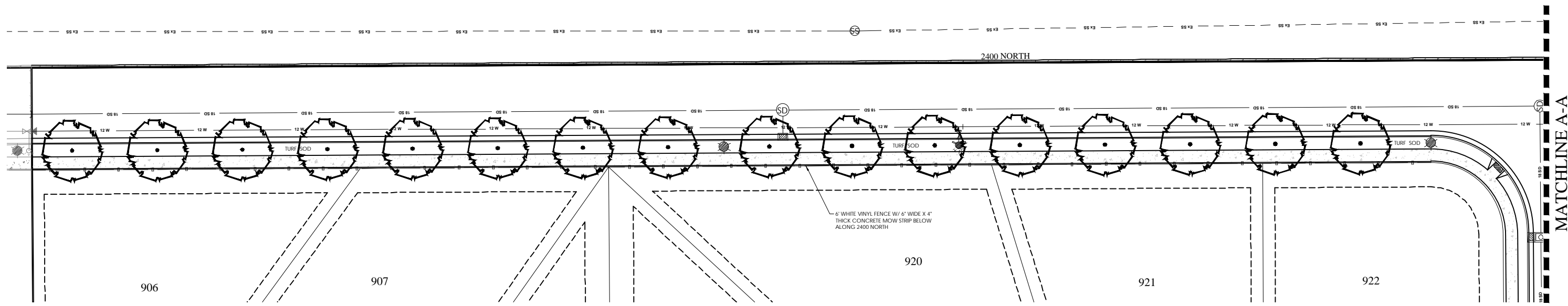


SUNSET ESTATES SUBDIVISION
PHASE 9
PRELIMINARY PLAT
LOCATED IN THE SW 1/4 OF SECTION 9, T3S, R4W,
SALT LAKE BASE & MERIDIAN
TOOELE CITY, TOOELE COUNTY, UTAH

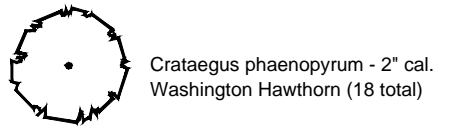
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FOR REVIEW ONLY

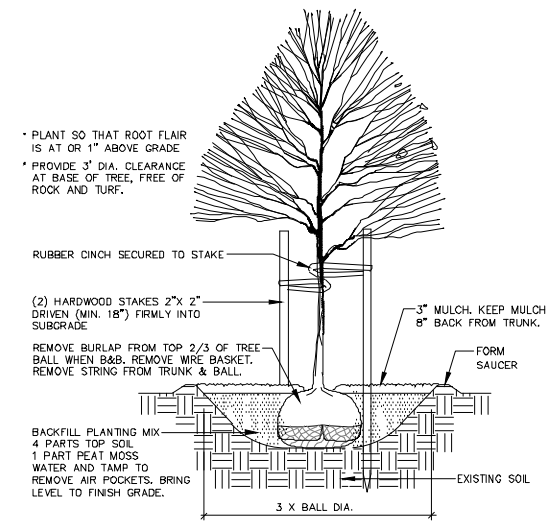
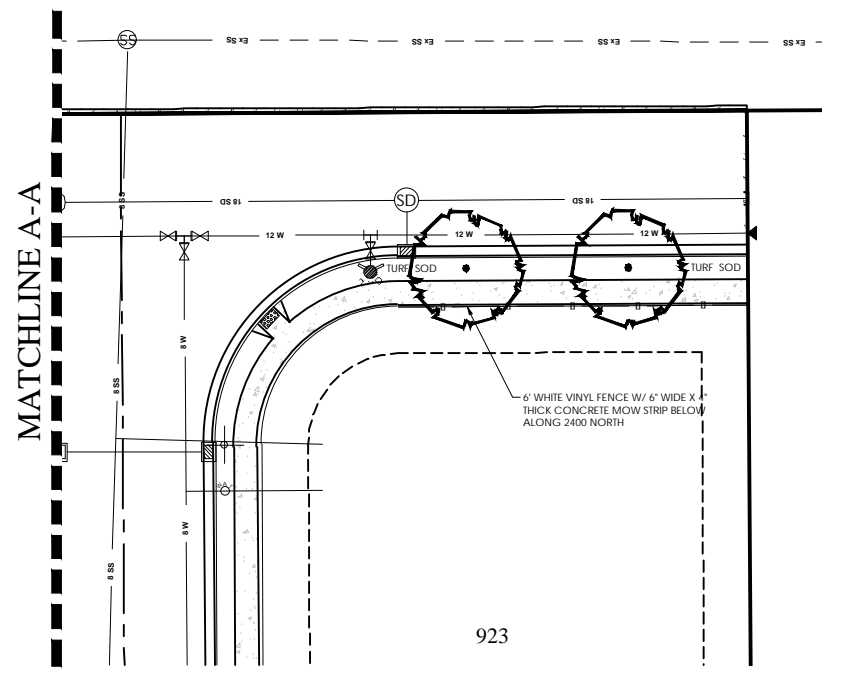
SUNSET ESTATES PHASE 9
 TOOELE CITY, UTAH
 LANDSCAPE PLAN



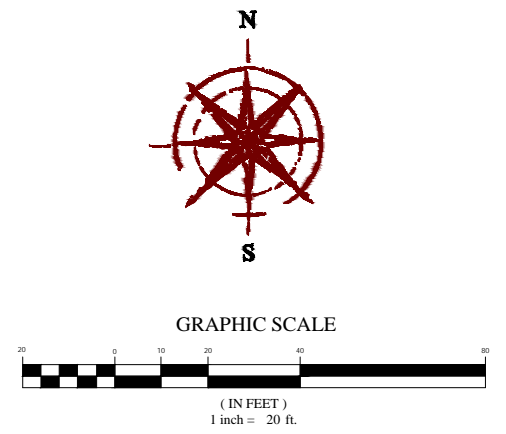
TREE LEGEND



LANDSCAPE NOTES:
 1. LAWN AREAS WILL BE SODDED WITH KENTUCKY BLUEGRASS BLEND OVER 4 INCHES GOOD GRADE TOPSOIL.



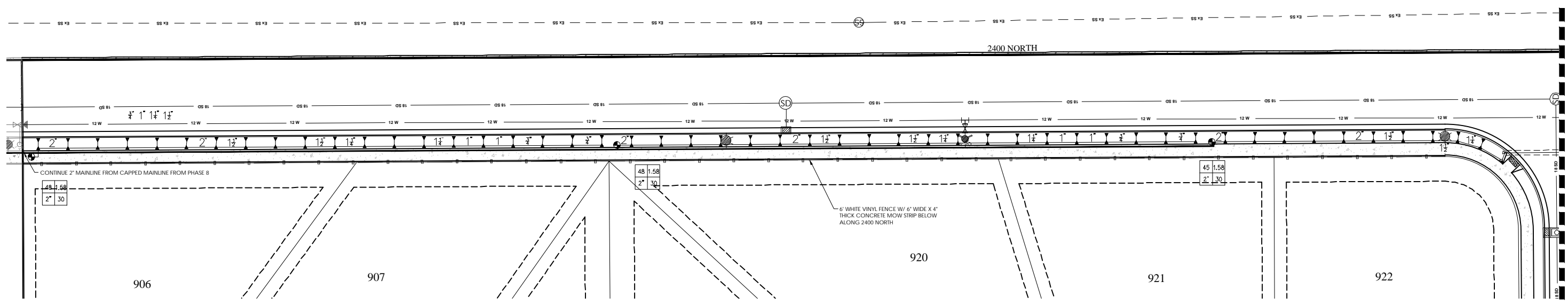
A TREE PLANTING & STAKING
 NOT TO SCALE



REVISION BLOCK	
#	DESCRIPTION
1	
2	
3	
4	
5	
6	

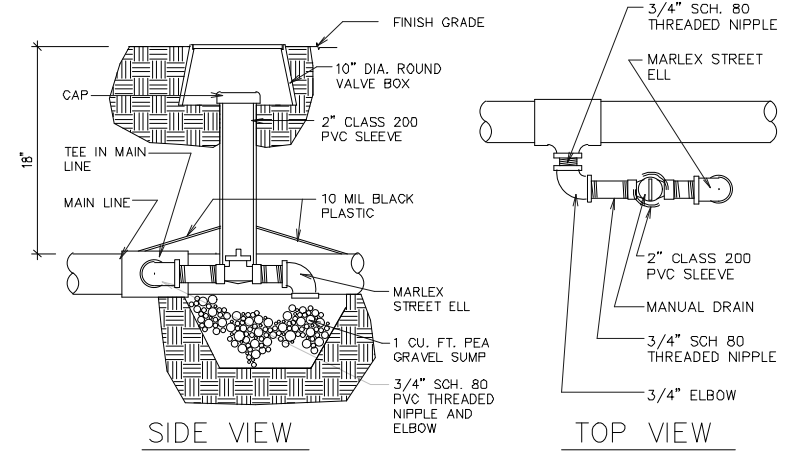
LANDSCAPE PLAN

Scale: 1"=20' Drawn: AW
 Date: 11/12/2020 Job #: 20-0170
 Sheet:

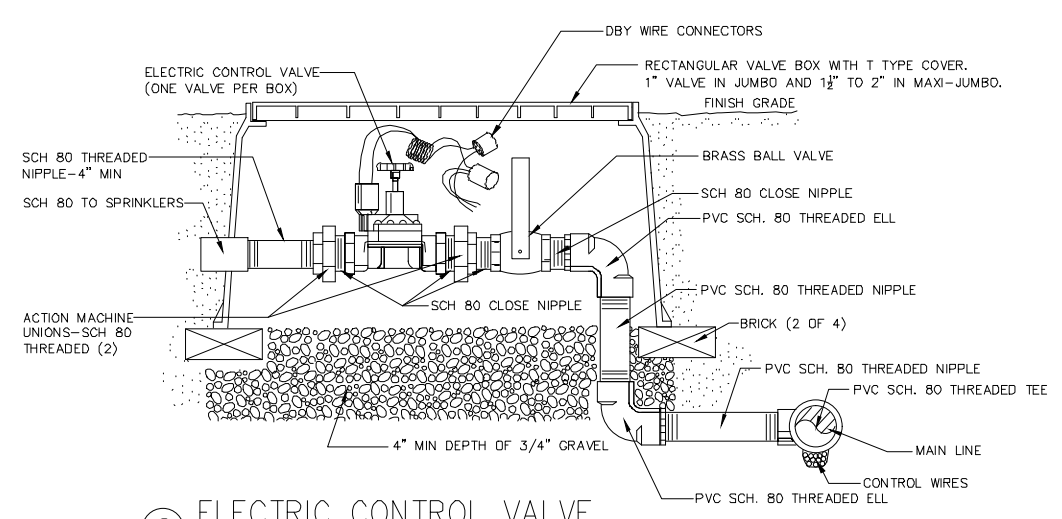


FOR REVIEW ONLY

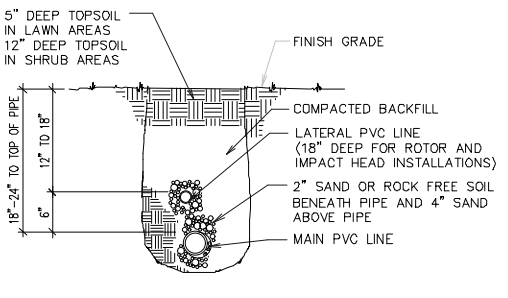
SUNSET ESTATES PHASE 9
TOOELE CITY, UTAH
IRRIGATION PLAN



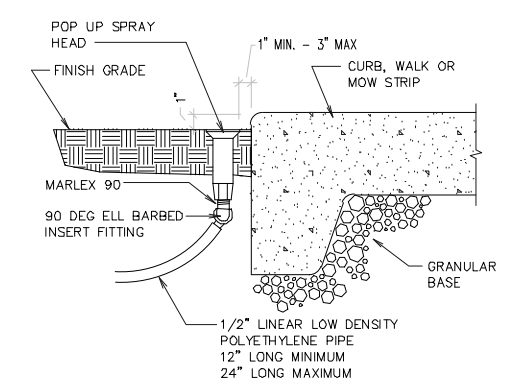
(B) MANUAL DRAIN VALVE
1 1/2" = 1'-0"



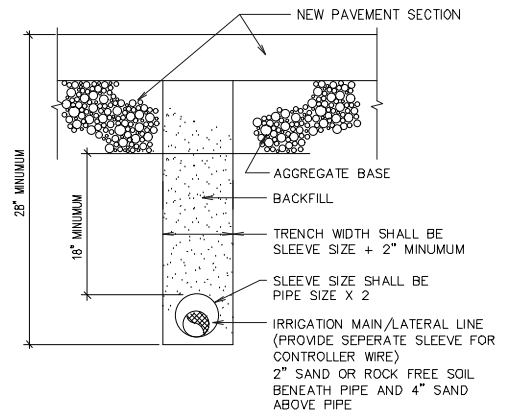
(C) ELECTRIC CONTROL VALVE
NO SCALE



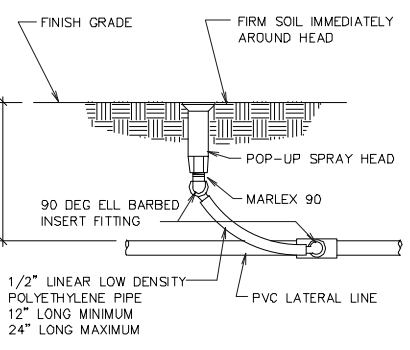
(D) TRENCH SECTION
1" = 1'-0"



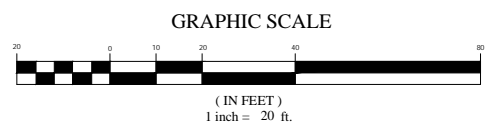
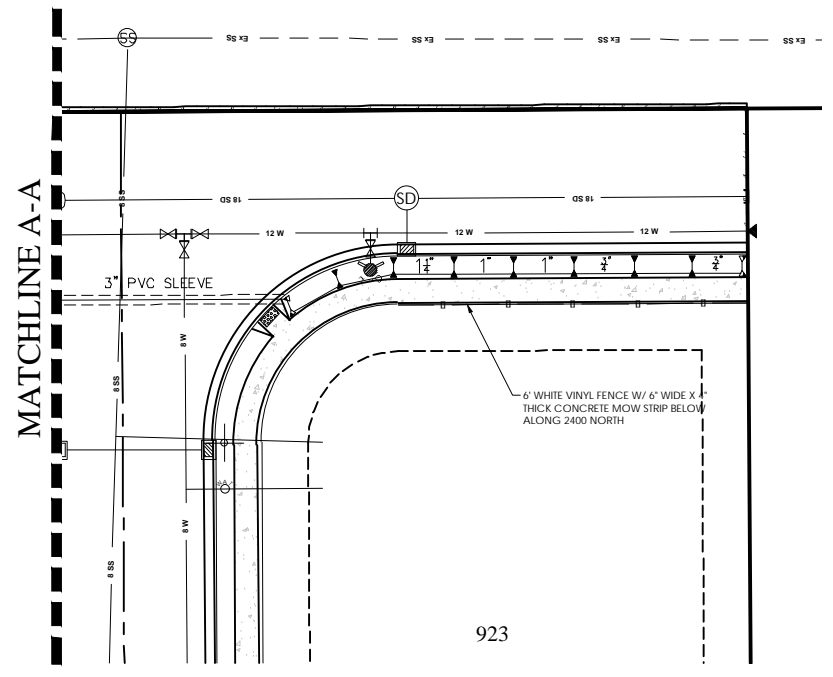
(I) SPRAY HEAD NEXT TO CURB OR WALK
1 1/2" = 1'-0"



(G) MISC. PIPE TRENCH DETAIL NEW PAVEMENT AREAS
1 1/2" = 1'-0"



(H) SPRAY HEAD ASSEMBLY
1 1/2" = 1'-0"



IRRIGATION LEGEND	
▲ ▲	RAINBIRD 1804-PRS 15SST, 15EST STRIP SERIES SPRAY HEAD
—	2" PVC SCHEDULE 40 MAIN LINE
---	PVC SCHEDULE 40 LATERAL LINE (SIZE AS NOTED)
----	PVC SCHEDULE 40 SLEEVES UNDER PAVEMENT
⊙	RAINBIRD PEB ELECTRIC REMOTE CONTROL VALVE
GPM per Valve	48 1.58 Precip. Rate/Hour
Valve Size	2" 30 Operating Pressure (PSI)

- IRRIGATION NOTES**
- THIS SYSTEM IS BASED UPON AN AVAILABLE STATIC PRESSURE OF 50 PSI MINIMUM. PRIOR TO CONSTRUCTION, CONTRACTOR SHALL CONFIRM THE STATIC WATER PRESSURE AND THE SIZE OF THE POINT OF CONNECTION (POC).
 - COORDINATE AND LOCATE ALL EXISTING UTILITIES ON THE SITE PRIOR TO EXCAVATION.
 - THIS PLAN IS DIAGRAMMATIC. SOME EQUIPMENT MAY BE SHOWN IN PAVED AREAS AND BUILDINGS FOR PLAN CLARITY.
 - INSTALL SLEEVES UNDER ALL PAVED SURFACES WHERE LINES AND CONTROL WIRES CROSS INCLUDING ALL SIDEWALKS. SLEEVE SIZE SHALL BE 2 TIMES LARGER THAN THE LINE. EXTEND 6" BEYOND THE PAVED SURFACE ON EACH SIDE. INSTALL A SEPARATE SLEEVE FOR THE CONTROL WIRES.
 - INSTALL MANUAL DRAIN VALVES AT ALL LOW POINTS ALONG IRRIGATION MAIN LINE AND EACH SIDE OF DRIVEWAY WHERE MAIN LINE CROSSES UNDER.
 - ALL PIPE FITTINGS ON THE MAIN LINE SHALL BE SCHEDULE 80.
 - ALL NEW CONTROL VALVES SHALL BE WIRED FROM EXISTING HUNTER ACC CONTROLLER WITH 2 WIRE SYSTEM LOCATED IN PHASE 7.
 - IRRIGATION SERVICE AND BACKFLOW PREVENTER IS EXISTING FROM PHASE 8.

REVISION BLOCK	DATE	DESCRIPTION
1		
2		
3		
4		
5		
6		

IRRIGATION PLAN

Scale: 1"=20' Drawn: AW
Date: 11/12/2020 Job #: 20-0170
Sheet:

STAFF REPORT

January 7, 2021

To: Tooele City Planning Commission
Business Date: January 13, 2021

From: Planning Division
Community Development Department

Prepared By: Jim Bolser, Director

Re: Private Street Standards – City Code Text Amendment Request

Application No.: P20-1305

Applicant: Tooele City

Request: Request for approval of a City Code Text Amendment regarding standards for private streets.

BACKGROUND

This application is a request for approval of a City Code Text Amendment to clarify and address the standards applicable to development proposals that include private streets. On occasion, applications for land use approvals, typically subdivisions and site plans, are submitted to the City for review and approval that include one or more private streets as a part of the development design. Classifying a street as public or private not only designates who owns and maintains the roadway, but in some historic instances has allowed applicants to propose a different layout or standard for the design and construction of those roads, typically the alterations come in the form of a narrowed travel surface. Over the past few years, the Tooele City Code has been revised on several occasions to, in part, address concerns and issues seen in situations where private roads have been developed as a part of new development. Those concerns and issues include dealing with adequacy or lack thereof for on-street parking, adequate road width for emergency response, the perception of the public that roads may be public, the potential for future requests or decisions to turn over the road to the City when maintenance becomes neglected or financially infeasible for the owner, etc.

ANALYSIS

Tooele City Code. Chapter 8 of Title 4 of the Tooele City Code contains the standards and specifications for road and street design within the city. In 2015, that chapter saw a significant amendment aimed at doing some cleanup to the chapter with a few policy related changes. One such policy change was the addition of clear language that specified that roads and streets proposed to be private are required to meet the same standard as a public road both in terms of the vertical construction of the road and the horizontal cross section. Later in 2019, Ordinance 2019-08 was approved by the City Council to restructure the City's multi-family residential zoning districts. That ordinance included a set of revisions to the design guidelines for multi-family residential developments in Chapter 7-11a of the City Code. One of those revisions included language that stated that private roads were encouraged to emulate public street standards under the guise and stated intent that the definition of emulate means to meet, match, exceed, or outdo which would mirror the requirement from Chapter 4-8. Unfortunately this provision has led some applicants to debate the meaning and intent of the term emulate in an effort to avoid compliance with the public road standard.

The proposed text amendment herein desires to do two things: 1) provide further clarity uniformity in the City Code as to what the standards are for private roads; 2) provide an avenue by which there is a certain amount of flexibility for an adjusted standard for private roads. The clarity and uniformity is proposed to be achieved by changing the references throughout Title 7 to all refer back to the street standards established in Chapter 4-8 to reduce or eliminate the risk of conflicting provisions in the City Code. The flexibility also results out of the clarification from this proposal. As the City Code requirements currently read, there are two options for roads proposed in new developments; public roads that meet the standards of the Code or private roads that meet the same standard as public roads. This leaves ownership and maintenance as the only difference. There is an argument to be made that a difference in road layouts can help in creating a sense of place for a development, but the issues and concerns stated earlier in this report come into play. The most pertinent of which the ability of emergency services, most notably fire response, to adequately respond to calls when the streets are more narrow. This concern is exacerbated by the occurrence or potential for on-street parking on those narrower streets. The International Fire Code (IFC) establishes an absolute minimum road width allowable for any street in order to provide fire response access. The IFC then also provides deference to the local fire authority, the chief structure for the Tooele City Fire Department in our case, to establish further minimum standards for road widths based on the needs and specific conditions they are responsible to work with, as well as the specific apparatus operated by the department. With some larger developments coming into the community and surrounding areas, both residential and non-residential, the City's Administration and City Council had the foresight several years ago to pursue the acquisition of larger apparatus, namely the 105' ladder truck number 24. With this larger apparatus in service, and considering its larger footprint and space needed to operate on the scene of an incident, it became necessary to reevaluate the minimum road widths allowable. An example of this came in the form of establishing the public safety aisle requirements in the parking requirements of Chapter 7-4 of the City Code. That provision established a minimum 30-foot wide drive aisles for designated emergency response routes through parking areas. Although this larger apparatus would not be employed for every call for service, in the event of an involved fire in a large structure such as a warehouse, an apartment building, or a dense or attached residential development where spread of the fire is observed or a real concern, it is expected and anticipated that this apparatus will respond and be a focal point of suppression efforts making access and space for operation essential for the safety success of the firefighting efforts. The flexibility proposed with this text amendment is to keep the two existing options in place and then also add a new third option. That new option would allow streets intended or proposed to be private roads to reduce the asphalt width of the road, to a point, so long as specific conditions and control measures listed in the ordinance are met to the satisfaction of the approval authority for the respective application following recommendation from the Fire Chief, City Attorney and others. The proposal would also provide clarity that there is flexibility in the layout of the parkstrip and sidewalk aspects for private roads so long as certain conditions and requirements are met. The complete language of this proposal can be found in Exhibit "A" to this report.

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

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

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

REVIEWS

Planning Division Review. The Tooele City Planning Division has reviewed the proposed City Code Text Amendment and has issued the following comment:

- 1. The Planning Division is supportive of this City Code Text Amendment.

Engineering Review. The Tooele City Engineering Division has reviewed the proposed City Code Text Amendment and has issued the following comment:

- 1. The Engineering Division is supportive of this City Code Text Amendment.

Public Works Department Review. The Tooele City Public Works Department has reviewed the proposed City Code Text Amendment and has issued the following comment:

- 1. The Public Works Department is in support of this proposed City Code Text Amendment.

Fire Department Review. The Tooele City Fire Department has reviewed the proposed City Code Text Amendment and has issued the following comment:

- 2. The Tooele City Fire Department is in support of this proposed City Code Text Amendment.

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

STAFF RECOMMENDATION

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

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

- 1. The effect the text amendment may have on potential applications regarding the character of the surrounding areas.
- 2. The degree to which the proposed text amendment may effect a potential application’s consistency with the intent, goals, and objectives of any applicable master plan.
- 3. The degree to which the proposed text amendment may effect a potential application’s

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

MODEL MOTIONS

Sample Motion for a Positive Recommendation – “I move we forward a positive recommendation to the City Council for the Private Street Standards City Code Text Amendment Request by Tooele City regarding standards for private street, application number P20-1305, based on the following findings:”

1. List findings ...

Sample Motion for a Negative Recommendation – “I move we forward a negative recommendation to the City Council for the Private Street Standards City Code Text Amendment Request by Tooele City regarding standards for private street, application number P20-1305, based on the following findings:”

1. List findings ...

EXHIBIT A

PRIVATE STREET STANDARDS CITY CODE TEXT AMENDMENT

TITLE 4. BUILDING REGULATIONS

CHAPTER 8. ROAD AND BRIDGE CONSTRUCTION STANDARDS

4-8-2. Street Design.

- (15) All streets proposed or intended to be built, owned, or maintained as private streets shall be designed and constructed to the same standards and specifications, ~~including cross-sections,~~ outlined in this ~~e~~Chapter for public local class or larger streets. Private streets may not be reduced in width narrower than 30 feet of asphalt with curb and gutter on each side. Any private street proposed to be narrower than 34 feet of asphalt shall be required to prevent on-street parking through the provision of adequate off-street parking as outlined in Chapters 7-4 and 7-11a and through private enforcement. Land use applications that include proposed private streets that are narrower than 34 feet of asphalt shall include, as a part of the application, a mechanism by which perpetual private enforcement preventing on-street parking is assured. Applications that include private streets narrower than 34 feet in asphalt width shall be subject to review and approval of the proposed private street design and private parking enforcement mechanism by the designated approval authority for the type of land use application, following recommendation from the Tooele City Fire Chief, Community Development Department, Public Works Department, and the City Engineer. The City Attorney shall review the proposed private parking enforcement mechanism and provide a recommendation to the approval authority on that proposed mechanism. Land use applications may propose alterations to the cross section for the street regarding sidewalks and parkstrips but shall maintain pedestrian access of at least a 5-foot width throughout the development and in compliance with requirements of the Americans with Disabilities Act (ADA).

TITLE 7. UNIFORM ZONING TITLE OF TOOELE CITY

CHAPTER 11a. DESIGN STANDARDS: MULTI-FAMILY RESIDENTIAL

7-11a-13. Design Standards: Parking and Internal Circulation.

- (10) Roads on the interior of a Project, whether proposed or intended to be public or private, shall comply with Section 4-8-2 of the Tooele City Code ~~are encouraged to emulate the horizontal cross-section of public roads and shall meet the same minimum vertical construction standards as public roads.~~ Standards for private roads shall not be subject to the provisions of Section 7-11a-25 herein.

CHAPTER 11. DESIGN REVIEW

7-11-8. Considerations in review of applications.

The ~~Planning Commission and the Engineering Department~~ City shall consider the following matters, among others, in their review of applications:

- (1) Considerations relating to traffic safety and traffic congestion:
 - (a) The effect of the site development plan on traffic conditions on abutting streets.
 - (b) The layout of the site with respect to locations and dimensions of vehicular and pedestrian entrances, exits, drives, and walkways.
 - (c) The arrangement and adequacy of off-street parking facilities to prevent traffic congestion.
 - (d) The location, arrangement, and dimensions of truck loading and unloading facilities.
 - (e) The circulation patterns within the boundaries of the development.
 - (f) The surfacing and lighting of off-street parking facilities.
 - (g) The effect of the site development plan on traffic conditions for uses within the development, including compliance with Chapter 4-8 of the Tooele City Code.

CHAPTER 19. SUBDIVISIONS

7-19-9. Plats and data for approval of preliminary plan.

The following data and plats are required for approval of the preliminary plan:

- (1) Topographic data required as a basis for the preliminary plan, in subsection (B) below, shall include existing conditions as follows, except when otherwise specified by the Planning Commission:
 - (a) Boundary line: Bearing and distances of all boundary lines of the subdivision as proposed.
 - (b) Easements: The location, width and purpose of all easements of the subdivision.
 - (c) Streets on and adjacent to the tract: Name and right-of-way width and location of all streets of the proposed subdivision; type, width and elevation of surfacing *in compliance with Chapter 4-8 of the Tooele City Code*; any legally established centerline elevations, walks, curbs, gutters, culverts, etc.

TOOELE CITY PLANNING COMMISSION MINUTES

Date: Thursday, December 9, 2020

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

Commission Members Present:

Tyson Hamilton
Shauna Bevan
Matt Robinson
Nathan Thomas
Dave McCall
Melanie Hammer
Chris Sloan
Paul Smith

Commission Members Excused:

Bucky Whitehouse

City Employees Present:

Andrew Aagard, City Planner
Paul Hansen, City Engineer
Roger Baker, City Attorney
Jim Bolser, Community and Development Director, attending through telephone

Council Members Present:

Council Member Justin Brady
Council Member Ed Hansen

Minutes prepared by Kelly Odermott

Chairman Hamilton called the meeting to order at 7:05 pm.

1. Pledge of Allegiance

The Pledge of Allegiance was led by Chairman Hamilton.

2. Roll Call

Tyson Hamilton, Present
Shauna Bevan, Present
Matt Robinson, Present
Nathan Thomas, Present
Dave McCall, Present
Melanie Hammer, Present
Chris Sloan, Present

3. **Public Hearing and Recommendation on a Zoning Map amendment request by DR Horton to reassign the zoning for approximately 86.9 acres located generally at 1600 North 300 East from the existing zoning districts of NC Neighborhood Commercial, LI Light Industrial, RR-5 Residential, and R1-8 Residential to the MR-16 PUD Multi-Family Residential and R1-7 PUD Residential zoning district. As a part of this rezone the terms of the PUD will be identified.**

Presented by Andrew Aagard

Mr. Aagard stated the application is for 86 acres of land located in the general area of 1600 North 300 East. Some landmarks in the area included the Overpass Mobile Home Park to the west, the Union Pacific Railroad corridor to the north and the Copper Canyon Elementary School to the east. There are a mix of zoning districts involved in the property. The northern half of the property is zoned MR-16, Multi-Family Residential. There is a pocket of NC Neighborhood Commercial zoning at the north east corner. The southern half of the project includes land zoned LI Light Industrial, RR-5 Rural Residential zoning on the southernmost extent of the project and RR-5 Residential adjacent to the LI Light Industrial zoning. A large portion of the southern half bares the R1-8 Residential zoning district. The applicant is requesting the properties be rezoned to MR-16 Multi-Family Residential and R1-7 Residential in order to facilitate a large development of townhomes and single family dwellings. The rezone request also includes a PUD Planned Unit Overlay. A PUD is an overlay that is attached to an underlying zoning district. The purpose of a PUD is to provide some flexibility to the design criteria that pertains to lot size, lot widths, setbacks. A PUD does not change the land usage or increases in land density over what is permissible in the underlying zoning district. In exchange for a PUD designation and a change in the standards of the underlying zoning district, a tangible public benefit and amenity must be provided; such as increased open space, park space, or other public benefit that can be enjoyed by the community and city. The purpose of the hearing is to rezone the properties to MR-16 Multi-Family Residential and R1-7 Residential and establish the PUD qualifications.

Mr. Aagard presented a site plan which is not a usual part of a Zoning Map Amendment, but due to the PUD overlay a site plan review is critical to determine the qualifications of the PUD. City staff has been working with the applicant since March to determine the PUD overlay. Mr. Aagard presented the current site plan, which the City was obligated to present for consideration. The R1-7 Residential zoning will be located to the east and south east of the project, with a pocket of lots along the southern boundary. This will yield 97 single family units. The rest of the development is proposed to be MR-16 Multi-Family Residential and yield 714 townhouse style units. Some of those units will be front entry, with some being rear and alley entry and others with no garage space, but will use parking lots for vehicle parking. Overall density of the project will be approximately 9.2 units per acre, which is far below the 16 units per acre which is allowed in the MR-16 Multi-Family Residential zoning district.

Mr. Aagard stated that the applicant has provided the qualifications for the PUD and gave a brief overview of the qualifications. The R1-7 Residential zone would have a reduction of lot size to 3,500 square feet from the approved 7,000 square feet standard. The dwelling size minimum would reduce to 800 square feet from the 1,100 square feet minimum. Current lot width in the R1-7 Residential zone is 60 feet and the PUD request is 42 feet. The side setback would be reduced from 6 feet to 5 feet. In the MR-16 Multi-Family Residential zoning the PUD changes would be to dwelling size, with the current standard for a two story with double garage the minimum size is 1,100 square

feet. The request is for a two story, with double garage to be 800 square feet minimum. The setbacks between buildings is currently 15 feet and the request is for 12 feet. The applicant is asking for changes to the design guidelines particularly to the design material. The current ordinance requires 50% of the entire façade to be brick or stone. The applicant would like to eliminate the brick or stone requirement to use stucco, fiber cement siding, wood, masonry stone, or brick or stone. There is currently a requirement for a 1,000 square foot clubhouse and the applicant would like to substitute the building for additional site amenities. Mr. Aagard showed elevations of proposed design elevations for the proposed properties to the Planning Commission.

Mr. Aagard stated the PUD ordinance authorizes the PUD only when there is a tangible benefit or amenity to the City in return of the PUD. A PUD could offer smaller lots in return for larger park space. The project will relocate a drainage corridor for the Middle Canyon Drainage ditch and improving the flood management capabilities. The improvements along the corridor will include a trail and vehicle maintenance path. The trail will run the length of the drainage and run to the south for connection with future trails. The development will include onsite amenities such as, pickleball courts, swimming pool, pavilions, tot lots, fitness apparatus, swing sets, and other amenities.

Mr. Aagard stated the plan was presented to the City Council in a work session meeting in November 2020. During that meeting, some concerns were expressed to the design particularly with the request to see more product types in the ratio. Some concerns have been raised about seeing long stretches of the same product of townhomes. It was suggested that it could be more appealing to have a wider range of products throughout the development to provide more variation and more housing types to choose from. Since then, this has been discussed with the applicant and an earlier rendition of the site plan addresses some of these concerns. The old plan offers four housing types, while still offering front and rear loaded townhouses, the small lot single family, and detached single family units called cluster homes. This plan provides more variation in the housing. Some of the benefits of the plan allows for more housing types and integrates different housing types throughout the plan. The plan improves the ratio of single family homes to townhouses by increasing the single family by 100 and reduces the townhouse by approximately the same number. One of the cons of the increase in single family dwellings is the loss of amenities. Mr. Aagard stated the Commission could consider each plan to address the concerns of the Council. The item is a public hearing and no concerns were emailed to the staff.

Commissioner Robinson asked Mr. Hansen about the drainage channel? Mr. Hansen stated that the property is heavily encumbered by two drainage maps, the FEMA zone for Middle Canyon drainage and further encumbered by the Tooele County special flood map for Middle Canyon. The developer has been extremely cooperative to try and mitigate that channel by shifting the location of the historical alignment to more fully utilize the property. The applicant has obtained an outside consultant to prepare documents for FEMA and Tooele City has signed those documents. The documents are awaiting the Conditional Letter of Map Revision. Once approved by FEMA the contractor will be able to construct the new channel and submit the new documentation for the map. The City sees it as an advantage to the City because it further and better defines the flood hazard. The area does flood broadly now and he supports the actions by the developer to mitigate the channel. Commissioner Robinson asked if there was any shift in the channel between the plan presented tonight and the early draft. Mr. Hansen stated it is essentially the same. It buffers against the eastern side of the mobile home park.

Chairman Hamilton opened the meeting to the Mr. David Lewis the project manager, from DR Horton for his presentation. His presentation included highlights the strengths of DR Horton. He shared pictures from other developments. Amenities for this project include, pickleball courts, a large pool featuring a zero entrance and handicap entrance, tot lots, and playgrounds, themed amenities, and terra parks. The development is connected north to south with a walking trail and the amenities are within a block of all homes. DR Horton will at their expense reroute the middle canyon trail and have an 8 foot wide asphalt trail. A pedestrian bridge will be built to connect the mobile home park to the development sidewalks to get to the school.

Commissioner Sloan stated housing affordability is a problem and asked what the price point is for the homes in the development? Mr. Lewis stated once the homes are built, they will be doing a market study to be on the lower end of the market. Commissioner Sloan stated the original plan with the cluster homes, what brought on the change of the home types? Mr. Leis stated there were several items. The current zoning is written in a way that makes it difficult. The townhomes are categorized as townhomes, but there are three different types in the townhomes for variety.

Commissioner Robinson asked how DR Horton addressed the concerns brought up by the City Council in the work session? Mr. Lewis stated the single family homes were just on the southern edge of the property. The single family homes were increased on several streets from 62 to 97. Commissioner Thomas asked if the amenities were available to the public? Mr. Lewis stated the intent is for the trail to be used for all. A lot of the interior amenities will be for the development and paid through the HOA.

Commissioner Bevan stated she was concerned about the clubhouse replacement for the outdoor amenities as the weather limits the outdoor usage? Mr. Lewis stated a lot of thought was put into that and they are not trying to reduce the amenities. They have built a lot of clubhouses and they are not utilized as anticipated. It is a very expensive item to maintain by the homeowners.

Commissioner Thomas asked if a theme has been addressed for the development? He hoped that this site plan would be given the same interest by the team as other locations with developments. Mr. Lewis stated the development is not small, but this has had a lot of effort and thought to have a great development.

Commissioner Hammer asked how the development will be built out. Mr. Lewis showed the phasing plan and the amenities are planned in the earlier phases.

Commissioner McCall stated that he wants it to be good quality and are worried about the affordability.

Mr. Adam Loser, Vice President of DR Horton Land Acquisition stated the driving factor for moving away from the cluster homes was the affordability. The pioneer townhomes are a carport townhome product that will hopefully be in the \$185,000 to \$195,000 price range. Between the five different types of townhomes there are five different price points to capture some of the affordability. In the work session it was mentioned the need for more single family homes and the plans were changed to add the single family homes. Putting in the more affordable product, it

allowed for more amenities to be included in the development. DR Horton sees this as a landmark project and hope to continue in Tooele County. They are a spec builder and like to have shelf ready homes for the buyers. By spec'ing the homes it allows for the same subs for years. DR Horton is leading the nation in customer service. There is a customer service group that handles all warranty issues. They will be building for five to eight years.

Chairman Hamilton asked if there were any more questions for the applicant, there were none.

Chairman Hamilton opened the public hearing.

Mr. Paul Smith, the Planning Commission alternate stated with 811 units that will add 1600 cars and those cars will have to go through the intersection at 1280 East and Walmart. The intersection is a mess already. Adding 3200 trips through the intersection needs to be considered. He sated he had not heard it or seen it addressed, but thought it was a concern.

Mr. Aaron Storey stated that he is concerned with the development. He believes the Commission should consider the traffic concern of the development with the only outlet from Tooele County being I-80. The additional cars will affect the traffic and it is a concern. The development needs to be reviewed for the speed of growth with the commute issues. He stated the creek has flooded one time in 20 years. He stated the information of the creek is not reality.

Chairman Hamilton closed the public hearing.

Mr. Bolser read an email submitted by Ms. Stephanie Bothell for public comment; I am in favor of this type of development. Our citizens need to have products at this price point. As long as the quality and the long term support is there, this will be a great place for our teachers, police officers and young people to get their foot in the door to homeownership. The amenities will be a great asset to the community.

Commissioner Thomas stated that he sees stars at night, but he asked what kind of measures will be used to limit light pollution? Mr. Loser stated that they use coach lights on photocell timers and that helps absolve the issue of street lights. The light is downward spreading. The pickleball court lights will be on a timer.

Commissioner Sloan asked what is the estimated build out of the development? Mr. Loser stated six to eight years. The market is hot right now and affordable projects are growing quickly.

Commissioner Robinson asked if Pine Canyon is a City road? Mr. Hansen stated that it is to the west and east is the county. Commissioner Robinson stated if there was any hope of getting another crossing at the railroad corridor? Mr. Hansen stated it is not likely. There is not much interest in another crossing and anything above or below would be up to the City at a huge cost. Commissioner Robinson stated that water is an issue, with 800 units coming in how will that be addressed? Mr. Hansen stated that DR Horton will have to bring all of the water. There is about 186 acres of water available for immediate development. They are responsible for the remaining water rights to the city.

Commissioner Sloan stated he was not inclined to table the motion. The concerns that have been expressed about the diversity of product and he appreciates what has been shown tonight. Traffic is a concern, but the future holds some different transportation that is being developed. A fair amount of the people who leave this subdivision, will hit Pine Canyon Road and turn right. He is a little less worried about the infrastructure in Tooele than he was 6 months ago. Plans are in the works. The price point that has been presented is about half of the medium price in Tooele County. The reality is there needs to be a project like this. The location provides for a single family buffer.

Commissioner Sloan motioned to forward a positive recommendation to the City Council for the Western Acres Zoning Map Amendment Request by DR Horton for the purpose of reassigning the zoning for the subject properties to the MR-16 Multi-Family Residential and R1-7 Residential zoning districts and assigning a PUD overlay to the properties located generally around 1600 North 300 East, application number P20-24, based on the following findings listed in the Staff Report dated December 1, 2020. Commissioner McCall seconded the motion. The vote as follows: Commissioner McCall, "Aye," Commissioner Bevan, "Aye," Commissioner Robinson, "Aye," Commissioner Thomas, "Aye." Commissioner Hammer, "Aye," Commissioner Sloan, "Aye," Chairman Hamilton, "Aye." The motion passes.

4. Public Hearing and Recommendation on a Land Use Map Amendment request by Halim Kurti to reassign the land use designation for approximately 3.37 acres located at approximately 400 East 1000 North from Medium Density to High Density Residential

Presented by Andrew Aagard

Mr. Aagard stated the application is for a 3.37 acre parcel that is undeveloped and the middle canyon drainage runs along the eastern edge of the property. The drainage is designated flood area and undevelopable. The property is currently zoned R1-8 Residential and permits about four units per acre on 8000 square foot lots. The properties to the east and south are zoned R1-8 Residential and R1-7 Residential. Property to the west is zoned RR-5 Rural Residential. The property currently bares a Land Use Map designation of medium density residential. The property as currently zoned does comply with the current Land Use Map in the current General Plan. Current zoning also complies with the current draft of the Land Use Map of the General Plan recently recommended for approval by the Planning Commission and currently being reviewed by the City Council. The zones in the medium density designation are exclusive to single family homes and two family style units. Multi-Family uses are not permitted in the zoning districts of the medium density residential land use designation. The applicant wishes to change the land use designation to high density residential. The high density designation includes all of the MR- Multi Family residential zones, such as MR-8, MR-16, and MR-25 zones. These zones include specifically multi family residential uses, such as apartments, townhouses, condominiums and two family duplex units. Single family residential uses are not permitted within this land use designation. The request for high density residential will create an island of high density residential in the medium density residential zones. It is acknowledged that there is some high density residential a quarter mile to the west and some to the north, if the prior zoning amendment is approved. The Middle Canyon drainage does offer a natural and wide buffer area to the single family homes to the east. With the drainage on the east side of the property, the actual developable of the property is closer to two acres. If the property were to develop with MR-25 zoning, only the developable acreage could be considered for density, with approximately 50 units of density. By changing the land use designation to High density

residential it does not guarantee MR-25 zoning. The applicant would have to go through the zoning process to reassign the zone. The city could consider in greater detail if the property is better suited for 25 units per acre or 8 units per acre or for single family residential.

Mr. Aagard stated that this application is a public hearing and notices were sent to property owners within 200 feet of the property. One email was received and it was emailed to the Commission.

From Mr. Richard Stribling; As a direct neighbor to this property I am against adding any more of these high density buildings especially on this property . Part of this property is in a flood zone and access to 1000N is limited. Any high density housing should be zoned on parcels larger than this one. I was going to buy this land and build a single family dwelling on it along with the rural Tooele county values and was advised that only part of it could be built on by zoning due to the flood zone on part of it along the dry bed canal. We do not need to have more congestion within the city when all around the outskirts are open to development without impact on current invested citizens. We already have a new nursing home along with a 55 + community currently under construction. This will increase traffic flow on a two lane road without turn lanes already. Turn lanes should be added and it should be increased to the speed of 40-45 mph as a regular thruway without lights for over 5000ft.

As citizens of Tooele we should realize what draws people here(open spaces, less traffic, shopping variety, and outdoors) and stop working to increase revenue and instead focus on budget conservativeness and increasing job training programs which increase quality of life for its existing multi generational citizens.

Chairman Hamilton asked the Commission if there were questions or comments.

Commissioner Thomas asked about the buffer or is it the natural drainage channel? Mr. Aagard stated that it is somewhere between 50 and 60 feet. Commissioner Thomas asked how that is determined? Mr. Aagard stated that FEMA has say in the drainage corridors and the developer would have to go through FEMA. Commissioner Thomas asked if FEMA would only allow for a few feet for the channel? Mr. Hansen stated Tooele County in 2009 performed a flood model for improvement on Middle Canyon drainage. Within that document, which Tooele City has adopted by resolution, it establishes a cross section. The cross section varies along the channel, but the width is in the neighborhood of 60 to 80 feet as a fully improved channel. One of the requirements to developers is to build outside of the flood plain. Depending on the number of units the developer wants to put on the property, they may have to make improvements to the channel. As a Commission and the City Council can impose additional requirements for the rezone. The width of the final channel will be determined by the master plan study and flow hydraulics that the water is contained within the channel.

Chairman Hamilton opened the public hearing.

Mr. Halim Kurti the applicant stated that he bought the land a year ago and he has spent time discussing what to do with the creek. With single family homes, a lot of the land will not be used and the general contractor suggested the rezone for townhomes with the land close to the creek for

a playground. That would leave more space for buildable property. He has checked with FEMA. Townhomes would be better. There could be 15, 25, 35 townhomes.

Commissioner Sloan asked what the plans were for the density. Mr. Kurti stated that he has worked in construction for several years. The land dictates the setbacks and sidewalks for building. He wants to change the zone to see how many townhomes can be there. He wants to build 1000 square foot townhomes with two car garages, three bedrooms, two and half bathrooms, two living rooms between 1,500 and 2,000 square foot of living space. He thinks there can be between 25 and 35 homes.

Mr. Storey stated with the development of the creek the land will be down to two acres. He encourage the Commission to get more information as to what will be on the two acres. He doesn't want a giant three story building that will be out of place. He would like something to be consistent with the neighborhood.

Mr. Bolser read an email comment received from Mr. Melvin Sweat. Can we require that the waterway must be improved and fortified in order beautify and strengthen the "flood zone"? I think it should be cohesive with and flow together with DR Horton.

Commissioner Sloan asked in regards to the last email, Tooele City flood resolution, as long as the developer stays outside of the channel, can it be required to develop the channel more. Mr. Hansen stated not under normal land use and zoning. As a rezone, there may be that option, but he defers to others to confirm or refute. Generally, no, as long as they stay out of the flood plain.

Commissioner Thomas stated that there is nothing under this action to make the connection to the potential trail between England Acres and the Western Acres trail. Chairman Hamilton stated this is just a zone change and development plans would come later. Commissioner Thomas asked if the question was answered on the level of development. Commissioner Sloan stated he is concerned with the vagueness of the development. The idea is townhomes, but there is nothing to preclude him from selling for an apartment complex. If the application is denied can an amendment be filed tomorrow, or would he lose a year? Mr. Baker stated if this was denied, a new land use application amendment could be submitted immediately. Commissioner Sloan stated under this land use application, is there a way to restrict within the units per acre? Mr. Baker stated he did not think so. The discussion for the night is about if this property is appropriate for high density residential uses. If this were approved by the City Council, the next policy level discussion would be what should it be zoned. The Planning Commission would have input on that question as well. It could be categorically stated how many units per acre would be appropriate. Land use applications request one or more use categories (e.g., high-density residential) while zoning applications specify one or more zoning district within the approved categories. The two concepts are certainly related.

Commissioner Robinson stated that this is an island in the medium density zoning and makes zero sense to change three acres in the middle of a sea of medium density development. Commissioner Bevan stated she agrees.

Commissioner Robinson motioned to forward a negative recommendation to the City Council for the Halim Kurti Land Use Plan Amendment Request by Halim Kurti to change the land use

designation to High Density Residential, application number P20-1153, based on the findings that it is not in harmony with the General Plan, it does not mix with the medium density zoning that surrounds it and the subject property is completely surrounded by medium density residential. Commissioner Sloan seconded the motion. The vote as follows: Commissioner McCall, "Aye," Commissioner Bevan, "Aye," Commissioner Robinson, "Aye," Commissioner Thomas, "Aye." Commissioner Hammer, "Aye," Commissioner Sloan, "Aye," Chairman Hamilton, "Aye." The motion passes.

5. Public Hearing and Decision on a Conditional Use Permit request by Utah Truck Driving School to authorize the use of "Public or Private Educational Facility" on .76 acres located at 1211 North 80 East in the LI Light Industrial Zoning District

Presented by Andrew Aagard

Mr. Aagard stated this Conditional Use Permit is proposed for property west of 80 East and south of 1280 North in a commercial industrial area just east of Main Street. The property is zoned LI Light Industrial as are the properties to the north, east, and south. Properties to the west are zoned GC General Commercial. The applicant is proposing to conduct a CDL training and truck driving facility for the property. After analyzing the list of uses allowable in the LI Light Industrial zone, the use falls under the category of public or private educational facility. This use is permitted in the zone, but requires the Conditional Use Approval by the Planning Commission. The applicant has indicated that the property will be used to store three large trucks that will be used in the training process. These trucks are described as being day cabs instead of the long haul semis that include sleeper cabins. The trucks will include 28 foot trailers. He applicant has indicated that the facility will operate just those three trucks. The property is three quarters of an acre and is of sufficient size to accommodate parking of the three trucks and limited student parking, and instructor parking. Parking could overflow to 80 East with if parking is needed. Staff is recommending that a condition be added by Planning Commission that will limit the training facility to a maximum of three trucks. This condition was not included in the Staff Report, as it was discussed after the reports were sent out. Staff has added a condition that the trucks only use established truck routes in Tooele city, although the business has the right to get businesses to and from the established truck routes once away from the property. A condition has been included in the report. Staff is recommending approval with the additional condition of three trucks and the conditions listed in the Staff Report. This is a public hearing and notices were sent to property owners, no comments were received by staff.

Mr. Baker stated that the recommended condition of limiting the operation to three trucks is based on the anticipated detrimental effect of the possibility of a large number of large vehicles accessing a very narrow street, that 1280 North, though signalized, is a busy intersection, and that 1180 North is not signalized and would be dangerous to utilize. The condition is relevant to operation and to the safety those utilizing the roadways surrounding the property. Limiting the operation to three trucks would mitigate the effect of the trucks to the surrounding area. It is also noted that 80 East is not an approved truck route, nor are 1180 North or 1280 North.

Chairman Hamilton asked the Commission if there were questions or comments.

Chairman Hamilton opened the public hearing, there were none.

Chairman Hamilton closed the public hearing.

Chairman Bevan motioned to approve the Conditional Use Permit Request by Utah Truck Driving School to authorize the use of “Public or Private Educational Facility” at 1211 North 80 East application number P20-1075, based on the following findings with the additional condition of the limit of three trucks at the facility. Commissioner Hammer seconded the motion. The vote as follows: Commissioner McCall, “Aye,” Commissioner Bevan, “Aye,” Commissioner Robinson, “Aye,” Commissioner Thomas, “Nay.” Commissioner Hammer, “Nay,” Commissioner Sloan, “Nay,” Chairman Hamilton, “Nay.” The motion does not pass.

Commissioner Sloan stated that he doesn’t believe that limiting the facility to three solves the effect on health safety and welfare based on the intersections that will need to be used for the trucks to access the truck routes. That road has one of the busiest intersections in town.

Mr. Baker stated that with the vote for the denial of the Conditional Use Permit it becomes extremely important to clearly state for the record that the Planning Commission does not feel that there are any reasonable conditions that could be imposed that would mitigate the adverse impacts of the proposed use. The facility cannot be a safe place for such a facility given the widths of the roads, the signalized, and unsignalized intersections, the volume of traffic. Commissioner Sloan stated that it is not reasonable that the safety issues cannot be resolved at this location with the application as stated. And the need to be state that there are no conditions that can be imposed to mitigate the impacts.

6. Recommendation on a Subdivision Plat Amendment request for the Tooele Town Center #6 Subdivision by Anderson, Wahlen and Associates amending the existing Tooele Town Center #3 and Tooele Town Center #5 Subdivision plats located at approximately 972 North Main Street in the GC General Commercial zoning district n approximately 9.7 acres.

Presented by Andrew Aagard

Mr. Aagard stated the subdivision is proposed for the property currently occupied by the Macey’s grocery store and attached businesses as well as the vacant property to the south. The property currently bares the zoning of GC General Commercial as are all of the properties to the north, south, and west. To the east properties are zoned GC General Commercial and there is some MR-25 Multi-Family Residential. The subdivision plat will amend two existing subdivision plats. Lot one of Tooele Town Center lot # 3 Subdivision and lot 501 of Tooele Town Center Lot #5 Subdivision will be amended and included in Tooele Town Center #6 Subdivision Plat. The two existing subdivision plats will be renumbered as 601 and 603 with the new lot 602 being created. The lot is being created to facilitate the construction of a new retail store and associated parking area. This retail store wanted their own lot for their facility. The GC General Commercial zone does not have a restriction on lot size, when the lots are included in existing commercial areas. There is a lot width restriction of 80 feet and this lot measures 104 feet at the front setback line. Staff has reviewed the proposed subdivision amendment and is recommending approval with the basic housekeeping conditions listed in the Staff Report.

Chairman Hamilton asked the Commission if there were any comments or questions

Commissioner Bevan asked if there will be an access off of 100 East? Mr. Aagard stated there will not be changes in access. The access that are there will service the parcel. There are ingress and egress easements which are in place. The engineer has been asked to submit those for the file.

Chairman Hamilton stated this item does not require a public hearing, but an audience member voiced the need to speak.

Mr. Thomas Parker stated he owns the property to the west and there is a property dispute over about 45 feet on the back of his property. There has been a surveyor working on the project. He stated there is a large hole in the property which he believes is his. He is asking that no decision has been made until the property dispute is finalized

Commissioner Sloan asked if the property is not contiguous to lot 602, but is contiguous to lot 603? Mr. Parker stated yes.

Mr. Aagard stated he wanted to address the concern. There is on the plat, a parcel A and a Parcel B. These parcels were added at the requirement of the Tooele County Recorder. The parcels are included so that a solution could be facilitated while still allowing the subdivision to move forward. Lot 602 is not affected by the property line dispute and it is a civil matter that cannot be resolved by the City. The two parcels allow a mechanism so that the subdivision can move forward and the property line dispute can be resolved. He recommended that the subdivision be moved forward and mechanism is sufficient to address the civil matter.

Mr. Jake Tate with Anderson, Whalen, and Associates stated that the current owner of the property has owned it for about eight years. Up until the submittal to the County, the owner was not aware of any dispute. Mr. Parker had not approached the owner and the client of the property that owns Macey's is also a client of the Anderson Whalen, firm. The Macey's owner provided a letter to firm between the prior lot owners and Mr. Parker from the year 2000 which was to settle and resolve the property line. Mr. Parker did not take action at that time. The resolution can be taken care of if Mr. parker would like to approach the property owner.

Chairman Hamilton asked if the Commission had any further comments or questions?

Commissioner Hammer stated that the property has had some land moving and she asked if everything had to go through the Planning Commission prior to the land movement? Mr. Aagard stated that Harbor Freight has done a site plan application which was reviewed and approved by city staff. Site plans only come to the Planning Commission when there is a design review element that needs to be approved or if there are specific overlays that require the Planning Commission to approve the site plans. In this case there was no reason for the site plan to come to the Planning Commission. Staff approved the site plan application; however, the site plan application was delayed due to the subdivision amendment. They are following the standard of development. Right now, it is above ground grub work and they are complying with the process.

Commissioner Robinson motioned to forward a positive recommendation to the City Council for the Tooele Town Center #6 Subdivision Plat Amendment request by Jake Tate representing

Anderson, Wahlen & Associates thus amending Tooele Town Center #3 and Tooele Town Center #5 subdivision plats, application number P20-383, based on the findings and subject to the conditions listed in the Staff Report dated December 1, 2020. Commissioner McCall seconded the motion. The vote as follows: Commissioner McCall, "Aye," Commissioner Bevan, "Aye," Commissioner Robinson, "Aye," Commissioner Thomas, "Aye." Commissioner Sloan, "Aye," Commissioner Hammer, "Aye," Commissioner Sloan, "Aye," Chairman Hamilton, "Aye." The motion passes.

7. Recommendation on a Subdivision Plat Amendment request for the Peterson Industrial Depot Plat 2C Subdivision by Peterson Industrial Depot amending lot 206 of the existing Peterson Industrial Depot Plat 2C Subdivision plat located at approximately 40 Lodestone way in the PID PUD Industrial zoning district on approximately 35.6 acres.

Presented by Andrew Aagard

Mr. Aagard stated the amendment is a parcel which is close to the Tooele School District and Detroit Deiseal facility to the west. It is zoned PID, PUD Peterson Industrial Depot Planned Unit Development and is an industrial district and it bears some specific restrictions to current development standards. This PUD is a result of when it was annexed to Tooele City. All the property in the area are zoned industrial. The subdivision amendment proposes to amend lot 206 of the existing Peterson Industrial Depot 2 C Subdivision. This amendment will split lot 206 into two lots, 207 will be the new lot and will consist of 9.7 acres. Lot 208 will be a remnant of lot 206 and will be 26.44 acres. Each lot will have access to Garnet Street, G Avenue and I Avenue, which are all public streets. There are not lot size minimum requirements in the zone and the lot greatly exceeds the requirement for 80 feet width. Staff is recommending approval with the basic conditions in the Staff Report.

Commissioner Bevan motioned to forward a positive recommendation to the City Council for the Peterson Industrial Depot Plat 2C Amended, Subdivision Plat Amendment Request by Brock Peterson, representing Peterson Industrial Depot for the purpose of amending lot 206 of the Peterson Industrial Depot Plat 2C Subdivision, application number P20-755, based on the findings and subject to the conditions listed in the Staff Report dated December 1, 2020. Commissioner Sloan seconded the motion. The vote as follows: Commissioner McCall, "Aye," Commissioner Bevan, "Aye," Commissioner Robinson, "Aye," Commissioner Thomas, "Aye." Commissioner Hammer, "Aye," Commissioner Sloan, "Aye," Chairman Hamilton, "Aye." The motion passes

8. Recommendation on a Subdivision Preliminary Plan request for the Providence at Overlake Phase 5 Subdivision by Providence Tooele, LLC, to subdivide 8 acres located at approximately 1000 North 400 West in the R1-7 Residential zoning district.

Presented by Andrew Aagard

Mr. Aagard stated the preliminary subdivision is an extension of previous Providence phases. It is located north of 1000 North and west of Franks Drive. It is zoned R1-7 Residential, as is the property to the north. The rest of the property surrounding the development is MR-16, Multi-Family Development and are currently undeveloped. The subdivision proposes to subdivide the parcel into 42 single family residential lots ranging in size from 7,400 square feet to 11,800 square feet. Each

lot within the subdivision has been reviewed against the development standards for R1-7 Residential and meets or exceeds lot size, lot widths, and lot frontages. All roads within the subdivision will be dedicated public streets. On the site plan there is an 8 foot solid masonry fencing as the lots have rear frontage onto the railroad corridor. Staff has reviewed the subdivision plan and is recommending approval with the basic housekeeping conditions listed in the Staff Report.

Commissioner Thomas motioned to forward a positive recommendation to the City Council for the Providence at Overlake Phase 5 Subdivision Preliminary Plan Request by Howard Schmidt, representing Providence Tooele, LLC for the purpose of creating 42 new single-family residential lots, application number P20-703, based on the findings and subject to the conditions listed in the Staff Report dated December 2, 2020. Commissioner Bevan seconded the motion. The vote as follows: Commissioner McCall, “Aye,” Commissioner Bevan, “Aye,” Commissioner Robinson, “Aye,” Commissioner Thomas, “Aye.” Commissioner Hammer, “Aye,” Commissioner Sloan, Aye,” Chairman Hamilton, “Aye.” The motion passes.

9. Public Hearing and Recommendation on a Request by Tooele City for a Text Amendment to Sections 7-11-16 and 7-19-14 of the Tooele City Code Regarding Abandoned Applications.

Presented by Jim Bolser

Mr. Bolser stated the application is an item that has been discussed by staff for some time on how to address applications that have gone stale so to speak. For applications that have approvals, there are already some set windows built into the code for applications to expire after they have been approved, for instance a preliminary plan for a subdivision, there is a period of time set within the code by which the applicant must file for the final plat for the first phase or the preliminary plan approval vacates and will have to be started over. What is not in the City Code is a provision for applications which do not yet have an approval, but have gone stale and cease to have activity. Mr. Bolser gave an example of an application where the redlines were turned back to the applicant in August of 2019 and the applicant has not given the staff any indication that they are not going to be doing something with it. The staff is then tasked with tracking changes in City Code that could affect the application. Land Use applications are bound to the City Code at the time that the application was made. There is not a massive problem with this, but it is a tool to have. Sometimes applications just don't work out and the City would like a mechanism to deal with it. Secondly, it gives the staff a tool to keep applicants moving. The nature of this application is to add a provision in the City Code. The language prepared for this evening is that an applicant must be responsive in a 180 days, which is six months, but if the application is response it would not be subject to closure. There is not the intent to abandon applications, but to help the applicants get through the process.

Chairman Hamilton opened the public hearing, there were no comments.

Chairman Hamilton closed the public hearing.

Commissioner Thomas motioned to forward a positive recommendation to the City Council for the Abandoned Applications City Code Text Avengement Request by Tooele City regarding Abandoned Applications, application number P20-1196, based on the Staff Report; Commissioner Robinson seconded the motion. The vote as follows: Commissioner McCall, “Aye,” Commissioner Bevan,

“Aye,” Commissioner Robinson, “Aye,” Commissioner Thomas, “Aye.” Commissioner Hammer, “Aye,” Commissioner Sloan, “Aye,” Chairman Hamilton, “Aye.” The motion passes

10. Setting Dates, Time, and Place for Regular Planning Commission Meetings for the 2021 Calendar Year.

Mr. Bolser stated there is an obligation each year to set the regular meeting calendar for the upcoming year. By the provisions in the City charter and code the Planning Commission is to meet twice a month on the second and fourth Wednesdays. There is a timeline in the packet to omit the second meetings in November and December as has become a tradition from prior years to avoid holidays.

Commissioner Sloan motioned to approve the 2021 Planning Commission Calendar in the provided packet. Commissioner Bevan seconded the motion. The vote as follows: Commissioner McCall, “Aye,” Commissioner Bevan, “Aye,” Commissioner Robinson, “Aye,” Commissioner Thomas, “Aye.” Commissioner Hammer, “Aye,” Commissioner Sloan, Aye,” Chairman Hamilton, “Aye.” The motion passes.

11. Nomination and Election of Planning Commission Chair and Vice-Chair for the 2021 Calendar Year.

Mr. Bolser stated there are seven regular commissioners that are eligible to sit as chair and vice chair. By the bylaws the chair person cannot serve more than two consecutive years without taking a year off and then can come back. Chairman Hamilton has only served one year and is fully eligible to serve again. For the Vice Chair there is no limitation on the consecutive years to serve.

Mr. Bolser gave the options for the Commission to vote by raise of the hand or secret ballot. The Commission could handle the selection either way.

Commissioner Sloan nominated Tyson Hamilton to serve as chair. Commissioner McCall seconded the motion. No other nominations were made. Chairman Hamilton accepted the position.

Commissioner Bevan nominated Chris Sloan for Vice Chairman. Commissioner Hammer seconded the motion. No other nominations were made. Commissioner Sloan accepted the nomination.

12. City Council Reports.

Presented by Council Member Justin Brady

Council Member Brady stated the City Council amended Ordinance 2020-45 for the residential development standards. The amendment was to have the approvals forwarded to the City Council after the review by the Planning Commission. After the amendment the Ordinance was approved

three to two. Commissioner Sloan asked for clarification. Council member Brady stated the original ordinance went strictly to the Planning Commission and now it goes to the Planning Commission and then is reviewed by the City Council. Council Member Brady stated that it was agreed on that it is a legislative action and is the city is having multiple deviations from the standards it is important for the Council to see that. On December 2, 2020, Mr. Derald Anderson gave a presentation on the annexation of areas B and H. The Council held a public hearing on the General Plan and will be continuing the second public hearing on the General Plan in the next meeting.

Commissioner Sloan asked about the public hearing process, does it feel like the Council is happy with it? Council Member Brady stated he is not aware of negative comments.

13. Review and Approval of the Planning Commission Minutes for Meeting Held on November 12, 2020.

Commissioner Robinson motioned to approve the minutes. Commissioner McCall seconded the motion. The vote as follows: Commissioner McCall, "Aye," Commissioner Bevan, "Aye," Commissioner Robinson, "Aye," Commissioner Thomas, "Aye," Commissioner Hammer, "Aye," Commissioner Sloan, "Aye," Chairman Hamilton, "Aye." The motion passes.

14. Adjourn

Chairman Hamilton declared the meeting adjourned at 9:33 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 13th day of January, 2021

Tyson Hamilton, Chairman, Tooele City Planning Commission