

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN THAT the Tooele City Planning Commission will meet in a business meeting scheduled for *Wednesday, May 25, 2022* at the hour of 7:00 p.m. The meeting will be held in the City Council Chambers of Tooele City Hall, located at 90 North Main Street, Tooele, Utah.

We encourage anyone interested to join the Planning Commission meeting electronically by logging on to the Tooele City Facebook page, at <u>https://www.facebook.com/tooelecity</u>. If you would like to submit a comment for any public hearing item you may email <u>pcpubliccomment@tooelecity.org</u> anytime after the advertisement of this agenda and before the close of the hearing for that item during the meeting. Emails will only be read for public hearing items at the designated points in the meeting.

AGENDA

- 1. Pledge of Allegiance
- 2. Roll Call
- Recommendation on a Minor Subdivision request by Pete Mittank representing Double A for the 3- lot Gossamer Place Subdivision proposed to be located at 296 East 600 North on 1.28 acres in the R1-7 Residential zoning district.
- 4. *Discussion* on Planning Commission Assignments to Pre-Development Meetings.
- 5. Discussion on Upcoming Planning Commission Training Topics.
- 6. City Council Reports
- 7. *Review and Approval* of Planning Commission Minutes for the Meeting Held on May 11, 2022.
- 8. Adjourn

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



STAFF REPORT

May 19, 2022

To: Tooele City Planning Commission Business Date: May 25, 2022

From: Planning Division Community Development Department

Prepared By: Andrew Aagard, City Planner / Zoning Administrator

Re:	<u>Gossamer Place – Minor Subdivision Request</u>	
	Application No.:	P21-958
	Applicant:	Pete Mittank, representing Double A
	Project Location:	296 East 600 North
	Zoning:	R1-7 Residential Zone
	Acreage:	1.28 Acres (Approximately 55,756 ft ²)
	Request:	Request for approval of a Minor Subdivision in the R1-7 Residential zone regarding description the creation of three residential lots.

BACKGROUND

This application is a request for approval of a Minor Subdivision for approximately 1.28 acres located at 296 East 600 North. The property is currently zoned R1-7 Residential. The applicant is requesting that a Minor Subdivision be approved to allow for the development of the currently vacant site as single-family residential or duplex style homes. The subdivision will result in three new residential lots.

ANALYSIS

<u>General Plan and Zoning</u>. The Land Use Map of the General Plan calls for the Medium Density Residential land use designation for the subject property. The property has been assigned the R1-7 Residential zoning classification, supporting approximately five dwelling units per acre. The R1-7 Residential zoning designation is identified by the General Plan as a preferred zoning classification for the Medium Density Residential land use designation. The subject property is surrounded on all sides by properties zoned R1-7 Residential. There is a legally non-conforming multi-family residential development located to the west. Mapping pertinent to the subject request can be found in Exhibit "A" to this report.

<u>Subdivision Layout</u>. The subdivision proposes to divide a 1.28 acre parcel into three lots ranging in size from 14,000 square feet up to 27,800 square feet. The subdivision lots are double the minimum lot size of the R1-7 Residential zoning district to facilitate the construction of duplex style residences. Duplexes are permitted in the zone but the lot must be 14,000 square feet. Each lot easily meets or exceeds the minimum standards required by the R1-7 Residential zoning district for lot sizes, lot widths and lot frontages.

The property is a deep property and thus the need of a flag lot. Lot 1, the largest of the three lots will include the 162 foot long staff portion and lot 2 will utilize the staff portion of lot 1 for access. The staff is 24 feet wide and includes an all inclusive access and utility easement guaranteeing perpetual use for access and utilities to both lots 1 and 2. The flag lot as proposed meets or exceeds the minimum standards for flag lots as required by the Tooele City Subdivision ordinance. The ordinance requires that



the staff portion of the flag lot be paved with either asphalt or concrete. Paving will need to be done before occupancy is granted to homes on either lot 1 or 2.

600 North is an existing right-of-way and no right-of-way dedication is necessary. The developer will be installing frontage improvements including curb, gutter, park strip and sidewalk along the 600 North frontage. Lot 3 will be directly accessing 600 North and will not be part of the flag lot arrangement.

Lot 3 does include a storm water retention basin adjacent to 600 North. This basin is protected in an easement and will collect storm water from the paved staff of the flag lot and from other impervious locations within the subdivision.

<u>*Criteria For Approval.*</u> 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 7-19-10 and 11 of the Tooele City Code.

REVIEWS

<u>Planning Division Review</u>. The Tooele City Planning Division has completed their review of the Minor Subdivision submission and has issued a recommendation for approval for the request.

<u>Engineering and Public Works Review</u>. The Tooele City Engineering and Public Works Divisions have completed their reviews of the Minor Subdivision submission and have issued a recommendation for approval for the request.

STAFF RECOMMENDATION

Staff recommends approval of the request for Gossamer Place Minor Subdivision by Pete Mittank, representing Double A, application number P21-958, 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. All lots within the subdivision meet or exceed the minimum requirements of the R1-7 Residential zone for lot size, lot width and lot frontages.
- 7. The flag lot within the subdivision meets or exceeds the minimum requirements for flat lots as required by the Tooele City Subdivision ordinance.

MODEL MOTIONS

Sample Motion for a Positive Recommendation – "I move we forward a positive recommendation to the City Council for the Gossamer Place Minor Subdivision Request by Pete Mittank, representing Double A for the purpose of creating 3 residential lots, application number P21-958, based on the findings and subject to the conditions listed in the Staff Report dated May 19, 2022:"

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 Gossamer Place Minor Subdivision Request by Pete Mittank, representing Double A for the purpose of creating 3 residential lots, application number P21-958, based on the following findings:"

1. List findings...



EXHIBIT A

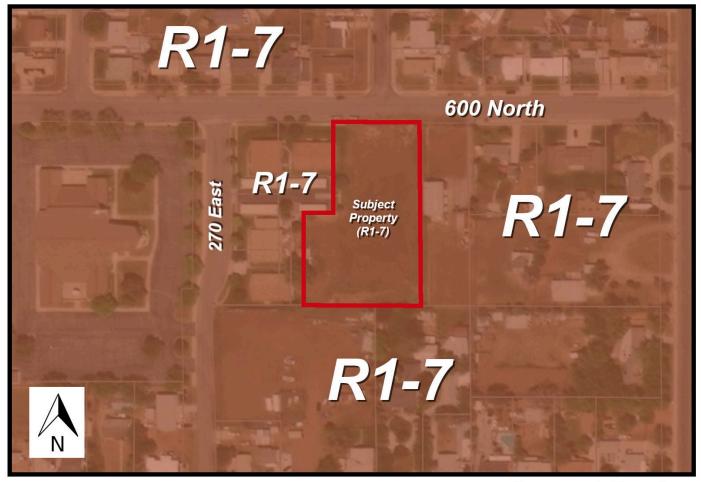
MAPPING PERTINENT TO THE GOSSAMER PLACE MINOR SUBDIVISION

Gossamer Place Minor Subdivision



Aerial View

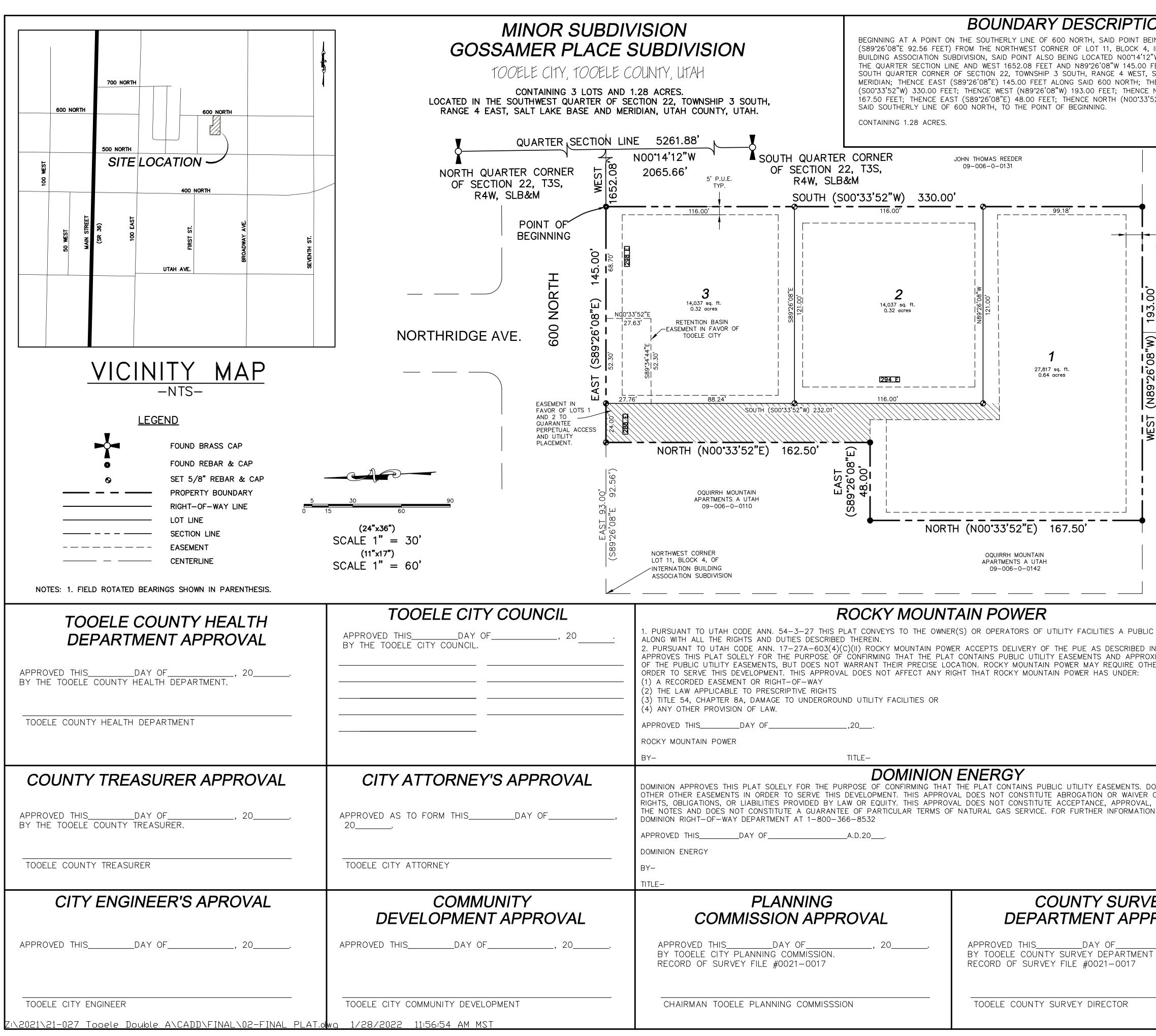
Gossamer Place Minor Subdivision



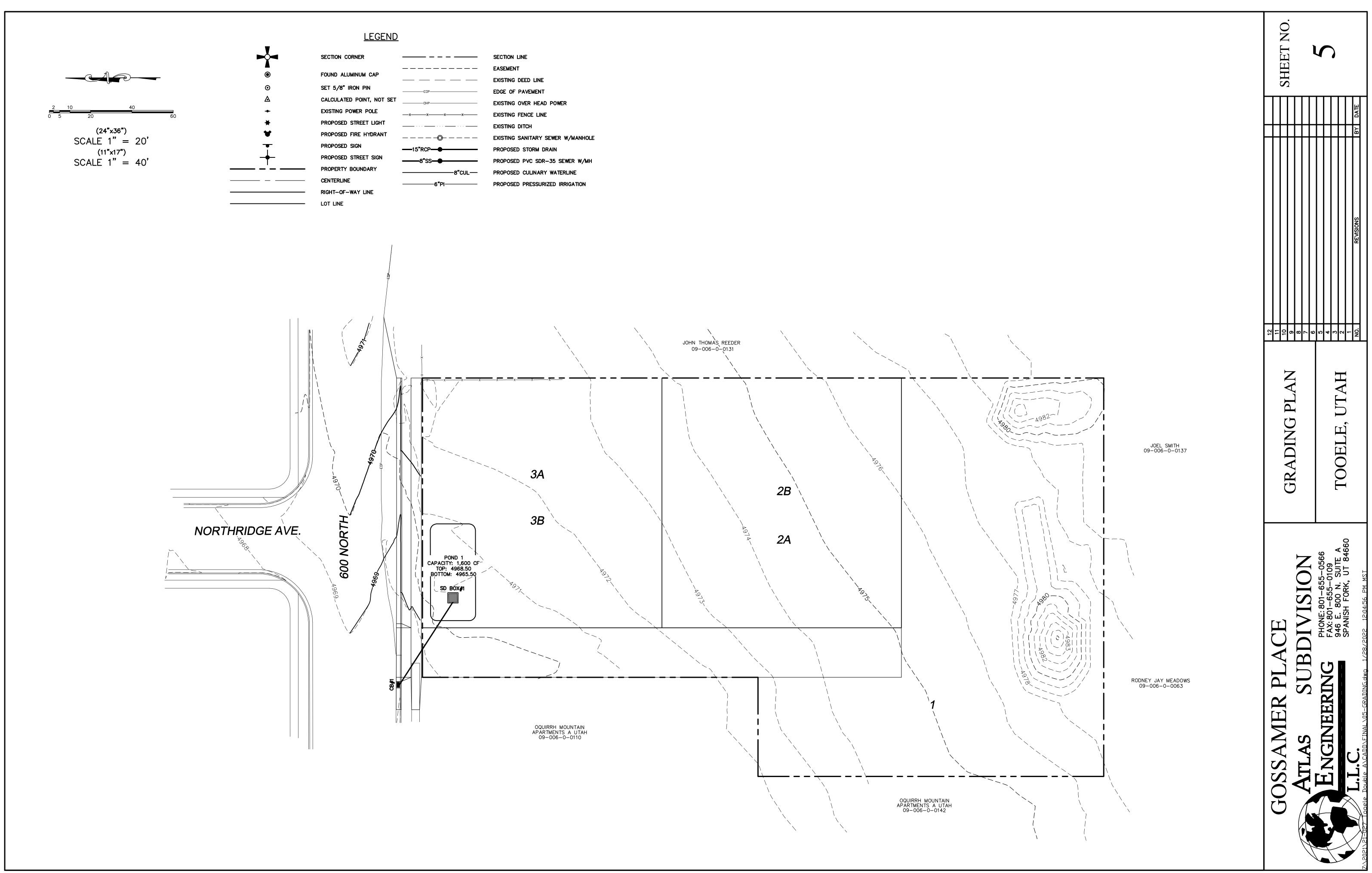
Current Zoning

EXHIBIT B

PROPOSED DEVELOPMENT PLANS



ING EAST 93.00 FEET INTERNATIONAL W 2065.66 FEET ALONG FEET FROM THE FOUND SALT LAKE BASE AND HENCE SOUTH NORTH (N00°33'52"E) 52"E) 162.50 FEET TO	I, DAVID F. HUNT DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 5243543 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF SAID TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS, STREETS, AND EASEMENTS AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.
	OWNER'S DEDICATION KNOWN ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED ARE THE OWNER(S) OF THE ABOVE DESCRIBED TRACT OF LAND, AND HEREBY CAUSE THE SAME TO BE DIVIDED INTO LOTS, TOGETHER WITH EASEMENTS AS SET FOURTH TO BE HEREAFTER KNOWN AS GOSSAMER PLACE
10' P.U.E	THE UNDERSIGNED OWNER(S) HEREBY CONVEY TO TOOELE CITY AND TO ANY
10 P.U.E TYP. JOEL SMITH 09-006-0-0137	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 THE INSTALLATION, MAINTENANCE AND OPERATION OF UTILITY LINES AND FACILITIES. THE UNDERSIGNED OWNER(S) ALSO HEREBY CONVEY ANY OTHER EASEMENTS AS SHOWN ON THIS PLAT TO THE PARTIES INDICATED AND FOR THE PURPOSE SHOWN AND/OR NOTED HEREON.
	DAY OF A.D. 20
	MEMBER:
	MEMBER:
	INDIVIDUAL ACKNOWLEDGMENT
,] =	STATE OF UTAH S.S.
RODNEY JAY MEADOWS	ON THE DAY OF, A.D. 2022
09-006-0-0063	
	PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR SAID COUNTY OF IN SAID STATE OF UTAH, WHO AFTER BEING DUTY SWORN, ACKNOELEDGE ME THAT HE/SHE/THEY SIGNED THE OWNER'S DEDICATION, IN NUMBER, FREELY AND VOLUNTARILY FOR THE PURPOSES THEREIN MENTIONED.
	MY COMMISSION EXPIRES
	RESIDING INCOUNTY.
UTILITY EASEMENT N THIS PLAT AND (IMATES THE LOCATION ER EASEMENTS IN	INDIVIDUAL ACKNOWLEDGMENT STATE OF UTAH COUNTY OF TOOELE S.S. ON THE DAY OF, A.D. 2022
	PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR SAID COUNTY OF IN SAID STATE OF UTAH, WHO AFTER BEING DUTY SWORN, ACKNOELEDGE ME THAT HE/SHE/THEY SIGNED THE OWNER'S DEDICATION, IN NUMBER, FREELY AND VOLUNTARILY FOR THE PURPOSES THEREIN MENTIONED.
	MY COMMISSION EXPIRES
OMINION MAY REQUIRE OF ANY OTHER EXISTING	RESIDING INCOUNTY.
OR ACKNOWLEDGE AND N PLEASE CONTACT	
	GOSSAMER PLACE SUBDIVISION
	TOOELE CITY, TOOELE COUNTY, UTAH
	CONTAINING 3 LOTS AND 1.28 ACRES.
	LOCATED IN THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, UTAH COUNTY, UTAH.
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EY	TOOELE COUNTY RECORDER
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	DATE:TIME:BOOK:PAGE:
	FEE\$ TOOELE COUNTY RECORDER





Tooele City Planning Commission Business Meeting Minutes

Date: Wednesday, May 11, 2022 Time: 7:00 p.m. Place: Tooele City Hall Council Chambers 90 North Main Street, Tooele Utah

Commission Members Present:

Matt Robinson Tyson Hamilton Weston Jensen Paul Smith Chris Sloan

Commission Members Excused:

Melanie Hammer Nathan Thomas Melodi Gochis Alison Dunn

City Council Members Present: Ed Hansen

City Council Members Excused: Maresa Manzione

City Employees Present:

Andrew Aagard, City Planner Jim Bolser, Community Development Director Paul Hansen, Tooele Engineer Roger Baker, Tooele City Attorney

Minutes prepared by Katherin Yei

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

1.Pledge of Allegiance

The Pledge of Allegiance was led by Commissioner Smith.

2. Roll Call

Matt Robinson, Present Tyson Hamilton, Present Weston Jensen, Present Paul Smith, Present



Chris Sloan, Present at 7:14pm Melanie Hammer, Excused Nathan Thomas, Excused Melodi Gochis, Excused Alison Dunn, Excused

Mr. Bolser made a statement according to the bylaws and standard practice regarding the requirement of having a minimum of four votes to pass a motion.

3. Recommendation on the Proposed Prosperity at Overlake Phase 2 Subdivision Preliminary Plan by Howard Schmidt to Subdivide Approximately 14.11 Acres into 56 Lots Located at Approximately 1280 North Berra Boulevard in the R1-7 Residential Zone.

Mr. Aagard presented a subdivision application involving a 14-acre parcel near North Berra Boulevard. It is zoned R1-7, Residential. The applicant proposes to subdivide the acreage into 55 single-family homes with one storm basin. The property meets or exceeds requirements by the R1-7 zoning district. The applicant will install an 8-foot masonry fence for all homes facing the railroad. As well as the properties adjacent to the culinary well and facility. The staff recommends approval with conditions listed in the staff report.

The Planning Commission asked the following questions: Is this the same developer that developed to the North of this property? Does the basin have to be all grass or can they recommend zero-scape?

Mr. Aagard addressed the Commission's questions. It is a different developer from the property to the North, but the same developer for phase one of the property to the South. The staff is encouraging zero-scaping.

Mr. Smith addressed the Commission regarding the zero-scaping. The applicant is working with the City's Parks and Rec department to do zero-scaping and concrete with cornhole and benches.

Commissioner Jensen motioned to forward a positive recommendation on the Proposed Prosperity at Overlake Phase 2 Subdivision Preliminary Plan by Howard Schmidt to Subdivide Approximately 14.11 Acres into 56 Lots Located at Approximately 1280 North Berra Boulevard in the R1-7 Residential Zone based on the findings and subject listed in the staff report. Commissioner Smith seconded the motion. The vote was as follows: Commissioner Hamilton, "Aye", Commissioner Jensen, "Aye", Commissioner Smith, "Aye", and Chairman Robinson, "Aye". The motion passed.

4. Recommendation on the Proposed 400 East Commercial Subdivision Preliminary Plan by Steve Evans Representing MEH Real Estate, LLC, to Subdivide Approximately 19.40 Acres into 9 Lots Located at Approximately 2100 North 400 East in the IS Industrial Service Zone.



Mr. Aagard presented the application for commercial industrial subdivision of 19.40 acres located near 2100 North 400 East. It bares IS, Industrial Service zoning district. The application proposes new industrial lots from .5 acres to 6 acres. The lots meet or exceed requirements. The developer will make the roads and frontage improvements including sidewalk, gutters, and roads. Staff is recommending approval with conditions listed in staff report.

Commissioner Hamilton motioned to forward a positive recommendation on the Proposed 400 East Commercial Subdivision Preliminary Plan by Steve Evans Representing MEH Real Estate, LLC, to Subdivide Approximately 19.40 Acres into 9 Lots Located at Approximately 2100 North 400 East in the IS Industrial Service Zone based on the findings and conditions listed in the staff report. Chairman Robinson seconded the motion. The vote was as follows: Commissioner Hamilton, "Aye", Commissioner Jensen, "Aye", Commissioner Smith, "Aye", and Chairman Robinson, "Aye". The motion passed.

5. Decision on Planning Commission Resolution 2022-01 A Resolution of the Tooele City Planning Commission Amending the Planning Commission Bylaws and Rules of Procedure.

Mr. Bolser addressed the Planning Commission regarding the minimum vote being 5 because the alternates are included in the vote.

Chairman Robinson moved this item until after the City Council report. This item was continued at 7:17pm.

Mr. Bolser presented the amendment to the Planning Commission bylaws and rules of procedure. The Planning Commission asked for multiple options for number 2, section 5 of the bylaws regarding the procedures of alternates. No additional changes have been made to the bylaws other than to make language clear and understandable.

The Planning Commission is in favor of option one in section 5 because it allows the Chair to have an option of how to move forward.

Mr. Baker and Mr. Bolser addressed the Commission regarding the bylaws that will be signed and approved by the Planning Commission, including the bylaws themselves and the resolution itself.

Commissioner Sloan motioned to approve Planning Commission Resolution 2022-01 A Resolution of the Tooele City Planning Commission Amending the Planning Commission Bylaws and Rules of Procedure with option 1 verbiage in number 2, section 5.

Commissioner Jensen seconded the motion. The vote was as follows: Commissioner Sloan, "Aye", Commissioner Hamilton, "Aye", Commissioner Jensen, "Aye", Commissioner Smith, "Aye", and Chairman Robinson, "Aye". The motion passed.

6. City Council Reports

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



The change of code for multi-family housing was approved. The application or development on Frank Drive and the Bryant subdivision were approved. Ordinance 2022-10 regarding annexation was vetoed by the Mayor and brought back for another vote. The motion was to leave the 2/3 vote requirement within the City Code.

<u>7. Review and Approval of Planning Commission Minutes for the Business Meeting Held</u> on April 27, 2022.

No requested changes to these minutes.

Commissioner Sloan motioned to approve Planning Commission minutes from April 27, 2022. Commissioner Hamilton seconded the motion. The vote was as follows: Commissioner Sloan, "Aye", Commissioner Hamilton, "Aye", Commissioner Jensen, "Aye", Commissioner Smith, "Aye", and Chairman Robinson, "Aye". The motion passed.

8. Planning Commission Training for an Update from the 2022 General Legislative Session Mr. Bolser presented information on the 2022 General Legislative Session. The handout given to the Planning Commission is attached to the bottom of the minutes.

<u>9. Adjourn</u>

Chairman Robinson adjourned the meeting at 8:12 p.m.

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

Approved this _____ day of May, 2022

Matt Robinson, Tooele City Planning Commission Chair