

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN THAT the Tooele City Planning Commission will meet in a business meeting scheduled for **Wednesday, August 24, 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.

**** Notice – Tooele City is no longer broadcasting meetings via Facebook Live ****

We encourage anyone interested to join the Planning Commission meeting electronically through Tooele City's YouTube channel by logging onto www.youtube.com and searching Tooele City. If you would like to submit a comment for any 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 for public hearing items at the designated points in the meeting.

AGENDA

1. **Pledge of Allegiance**
2. **Roll Call**
3. **Public Hearing and Decision** on a Conditional Use Permit Request by Sarah Bennett to Operate a Home-Based Day Care Business Involving the Care of 8 to 16 Children at 146 West 2100 North on 0.22 Acres in the R1-8 Residential Zoning District.
4. **Public Hearing and Decision** on a Conditional Use Permit Request by Kris Pasker of PGAW Architects to Permit the "Cultural Activities and Uses" and "Private Educational Facility" Uses in an Existing Structure Located at 310 South Main Street in the MU-G Mixed Use General Zoning District on 0.62 Acres.
5. **Public Hearing and Recommendation** on a Zoning Map Amendment Request by Tooele City to Reassign Approximately 9.12 Acres of Land From the MR-25 Multi-Family Residential Zoning District to the MR-20 Multi-Family Residential Zoning District Located at Approximately 800 North 100 East.
6. **Recommendation** on the W & R Minor Subdivision Request by W & R Enterprises, LC, to Subdivide Approximately 8.6 Acres Located at the Northeast Corner of 400 East 2400 North into 6 Commercial Lots in the GC General Commercial Zoning District.
7. **Recommendation** on the Lexington Greens Lot 107 Preliminary Subdivision Plan Request by Lex Townhomes, LLC, to Subdivide 1.27 Acres Located at the Northeast Corner of 680 West 1200 North into 18 Townhome Lots in the MR-16 Multi-Family Residential Zoning District.
8. **Decision** on the Lex Apartments Series 102B Site Plan Design Review Request by Ensign Engineering for 10.6 Acres Located at Approximately 1202 North Franks Drive in the MR-16 Multi-Family Residential Zoning District.
9. **Recommendation** on the Tooele City Wastewater Collection System Master Plan.

10. **City Council Reports**

11. **Planning Commission Training** on Non-Conforming Uses and Non-Complying Structures.

12. **Review and Approval** of Planning Commission Minutes for the Meeting Held on August 10, 2022.

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.

STAFF REPORT

August 16, 2022

To: Tooele City Planning Commission
Business Date: August 24, 2022

From: Planning Division
Community Development Department

Prepared By: Andrew Aagard City Planner / Zoning Administrator

Re: Sunshine Kids Academy – Conditional Use Permit Request

Application No.: P22-931
Applicant: Sarah Bennett
Project Location: 146 West 200 North
Zoning: R1-8 Residential Zone
Acreage: .22 Acres (Approximately 9583 ft²)
Request: Request for approval of a Conditional Use Permit in the R1-8 Residential zone regarding authorizing a child pre-school business involving the care of 8 to 16 children.

BACKGROUND

This application is a request for approval of a Conditional Use Permit for approximately .22 acres located at 146 West 200 North. The property is currently zoned R1-8 Residential. The applicant is requesting that a Conditional Use Permit be approved to permit a home based pre-school business involving the care of 8 to 16 children in the home.

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 R1-8 Residential zoning classification, supporting approximately five dwelling units per acre. All surrounding properties are zoned R1-8 Residential and utilized as single-family residential. Mapping pertinent to the subject request can be found in Exhibit “A” to this report.

Tooele City Code 7-2-19: Home Occupations, requires home based pre-schools involving the care of 8 to 16 children to obtain a conditional use permit after a public hearing is held with the Planning Commission. The applicant is proposing a pre-school involving the care and instruction of 8 children including her own child. The pre-school will involve one session between the hours of 1:00 and 3:00 in the afternoon. The ordinance also permits one non-residential employee to work at the home, however, the applicant has not indicated that there will be any additional employees at this time.

The ordinance does require that a pre-school owner’s children, if they are enrolled in the pre-school, to be counted towards the maximum number of children and are not exempt from the total number.

Traffic Plan. The proposed pre-school will be operated in a large room in the basement and parents will be dropping off and picking up the children around 1:00 and 3:00 in the afternoon. This pre-school involves a scheduled session which will result in parents arriving at about the same time to drop off or pick up their children so there will be the potential for some vehicle queuing. The applicant has provided a traffic plan that shows she plans on using the frontage on the east side of the property, about 60 linear feet, and the frontage on the south side of the property, approximately 86 feet of frontage, for parent or guardian parking. It is

anticipated, based upon the standard length of a car being about 20 feet, that there is sufficient frontage space to accommodate 7 vehicles. There is also space in the home's driveway to accommodate 3 vehicles. There is sufficient space available to accommodate a pre-school involving 8 children and not block the driveways or mailboxes of the neighboring property owners.

It should be noted that this is a corner lot and corner lots do have the clear view zone. Within this clear view zone a property owner is prohibited from planting trees or installing fences taller than 3 feet in order to preserve safe views for vehicles turning at this corner. For safety purposes this clear view zone needs to be maintained and the applicant should instruct her clients to avoid parking in the zone in order to provide safe visibility at the intersection.

Fencing. The rear yard of the property is enclosed with a 6 foot wooden fence.

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 possibility that clients will park too close to the corner and their vehicles will create obstructions to the visibility of moving vehicles as they negotiate this intersection. Visual obstructions at corners may result in accidents involving other vehicles or pedestrians.

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 proposed condition.

1. The applicant shall mark off the 40 foot clear view zone with a temporary marking system and instruct clients to avoid parking in this area to preserve visibility at the intersection.

Engineering and Public Works Divisions Review. The Tooele City Engineering and Public Works Division have not issued comments regarding this proposed conditional use permit.

Tooele City Fire Department Review. The Tooele City Fire Department 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 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 Sarah Bennett, application number P22-931, subject to the following conditions:

1. The applicant shall mark off the 40 foot clear view zone with a temporary marking system and instruct clients to avoid parking in this area to preserve visibility at the intersection.

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 Sarah Bennett to authorize a child preschool involving 8 to 16 children at the home located at 146 West 2100 North, application number P22-931, based on the findings and subject to the conditions listed in the Staff Report dated August 16, 2022:”

1. List findings of fact and conditions...

Sample Motion for Denial – “I move we deny the Conditional Use Permit Request by Sarah Bennett to authorize a child preschool involving 8 to 16 children at the home located at 146 West 2100 North, application number P22-931, based on the following findings:”

1. List findings of fact ...

EXHIBIT A

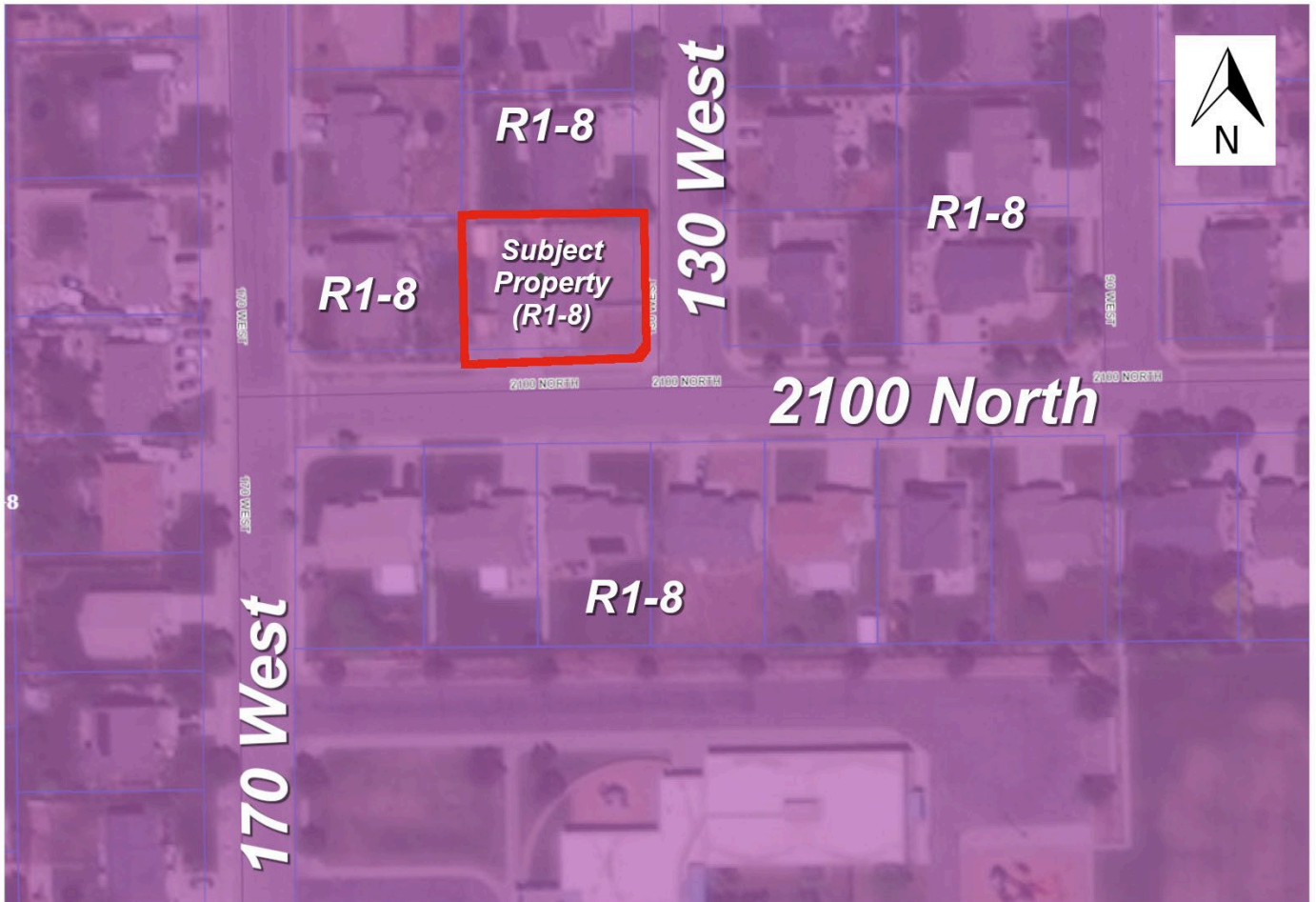
**MAPPING PERTINENT TO THE
SUNSHINE KIDS ACADEMY CONDITIONAL USE PERMIT**

Sunshine Kids Academy Conditional Use



Aerial View

Sunshine Kids Academy Conditional Use



Current Zoning

EXHIBIT B

**PROPOSED DEVELOPMENT PLANS &
APPLICANT SUBMITTED INFORMATION**

Conditional Use Permit Application

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



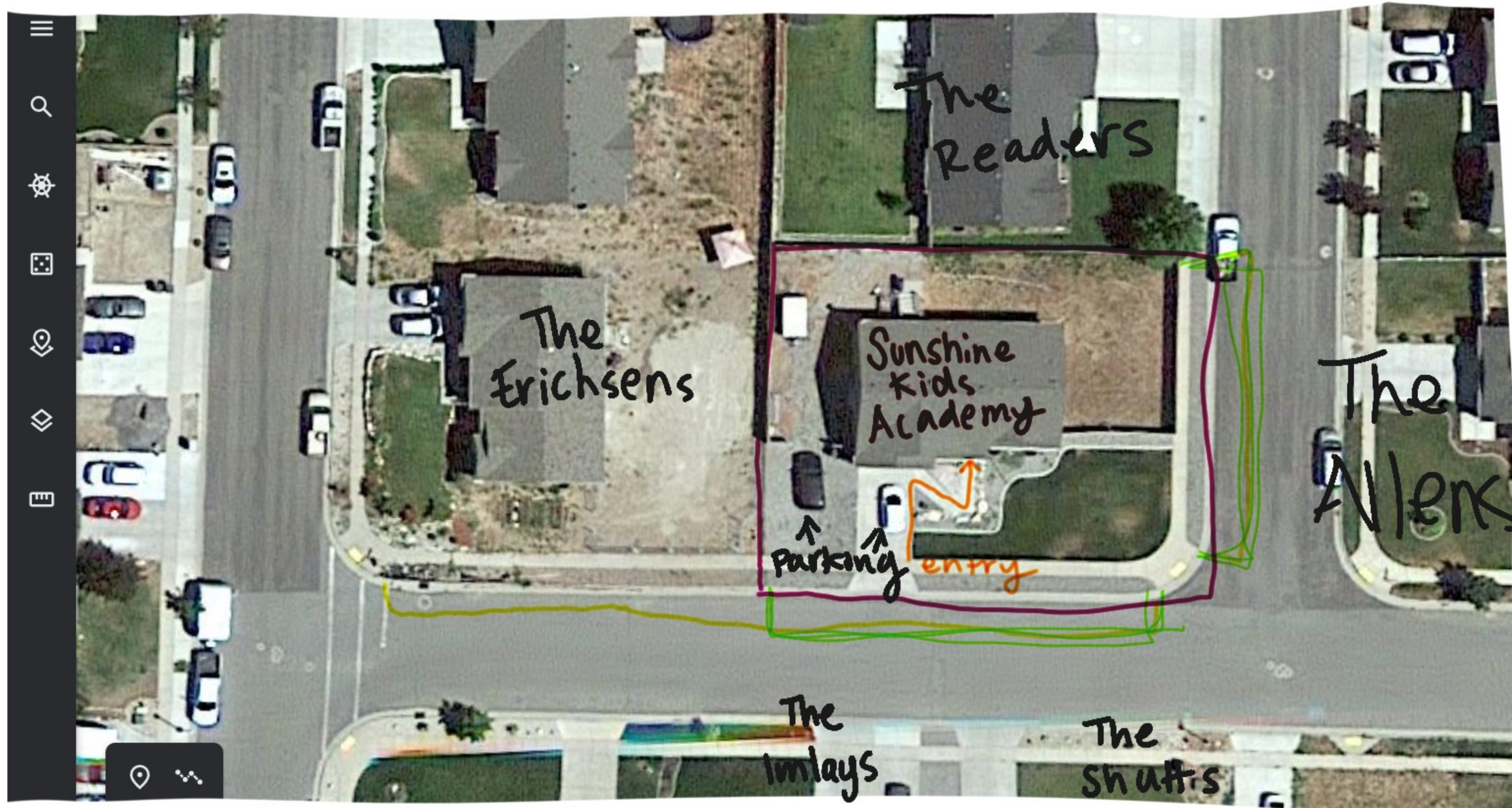
Notice: The applicant must submit copies of the pertinent plans and documents to be reviewed by the City in accordance with the terms of the Tooele City Code. All submitted Conditional Use Permit applications shall be reviewed in accordance with all applicable City ordinances and requirements, are subject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

Project Information					
Date of Submission:		Current Zoning: <i>Private</i>		Parcel #(s): <i>15-045-0-0131</i>	
Project Name: <i>Sunshine Kids Academy</i>				Acres: <i>0.22</i>	
Project Address: <i>146 W. 2100 N. Tooele, Utah 84074</i>				Units: <i>1</i>	
Project Description: <i>Small in-home preschool run by homeowner</i>					
Current Use of Property: <i>Private Residence</i>					
Property Owner(s): <i>Jared & Sarah Bennett</i>			Applicant(s): <i>Sarah Bennett</i>		
Address: <i>146 W. 2100 W.</i>			Address: <i>146 W. 2100 N</i>		
City: <i>Tooele</i>	State: <i>Utah</i>	Zip: <i>84074</i>	City: <i>Tooele</i>	State: <i>Utah</i>	Zip: <i>84074</i>
Phone: <i>509-570-8142</i>			Phone: <i>801-599-6495</i>		
Contact Person: <i>Sarah Bennett</i>			Address: <i>146 W. 2100 W</i>		
Phone: <i>801-599-6495</i>			City: <i>Tooele</i>	State: <i>Utah</i>	Zip: <i>84074</i>
Cellular: <i>—</i>	Fax: <i>—</i>		Email: <i>sunshinekidsacademy123@gmail.com</i>		
Signature of Applicant: <i>[Signature]</i>					
Date <i>7-2-22</i>					

*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:	Received By:	Date Received:	Receipt #:
(213)			



Possible
— parent parking
— property lines

— optimal
parent
parking

7/9/22

Sunshine Kids Academy
146 W. 2100 N.
Tooele, Utah 84074

July 19, 2022

Planning Commission
Tooele City Corporation
90 North Main Street
Tooele, UT 84074

Dear Planning Commission

Thank you for taking the time to review my Conditional Use Permit Application. Here are pertinent details about my small business.

My preschool classes will be held on Tuesdays and Thursdays from 1:10PM to 2:40 PM. I plan on opening my doors for students to arrive at 1:00 PM. Parents can then pick up their children until 2:55 PM. If they are later than that, I will charge a late fee. I will not have parents stay at my house during lessons, so my street and driveway should be clear during class time.

I have eight students registered for the 2022/2023 school year. One of the students is my daughter.

Attached to this letter is a drawing of my basement floor plan, which is where my class will be held. There is a bathroom around the corner. I do not plan on serving food to my students (since classes are only an hour and a half) so I will not be using my kitchen.

I appreciate the chance to apply for this permit! Thank you for all you do for our city!

Sincerely,

Sarah Bennett

STAFF REPORT

August 16, 2022

To: Tooele City Planning Commission
Business Date: August 24, 2022

From: Planning Division
Community Development Department

Prepared By: Andrew Aagard City Planner / Zoning Administrator

Re: Boys & Girls Club – Conditional Use Permit Request

Application No.: P22-926
Applicant: Kris Pasker, representing PGAW Architects
Project Location: 310 South Main Street
Zoning: MU-G Mixed Use General Zone
Acreage: .62 Acres (Approximately 27,007 ft²)
Request: Request for approval of a Conditional Use Permit in the MU-G Mixed Use General zone regarding authorizing the uses of “Cultural Activities and Uses” and “Private Educational Facility” to occur in an existing commercial structure.

BACKGROUND

This application is a request for approval of a Conditional Use Permit for approximately .62 acres located at 310 South Main Street. The property is currently zoned MU-G Mixed Use General. The applicant is requesting that a Conditional Use Permit be approved authorizing the uses of “Cultural Activities and Uses” and “Private Educational Facility” to occur in an existing commercial structure formerly utilized as a fitness / health club.

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-G Mixed Use General zoning classification, a zoning district that permits both commercial and residential land uses. Properties to the north, south and east of the subject property are zoned MU-G Mixed Use General. Properties to the west are zoned R1-7 Residential. Mapping pertinent to the subject request can be found in Exhibit “A” to this report.

The Boy’s and Girl’s Club is requesting the conditional use permit to facilitate conversion of the existing structure into a facility that can be utilized by youth for after school recreation, cultural activities and educational purposes. The applicant will conduct extensive renovation work on the building interior. Work on the building exterior and site will be conducted later. The applicant has confirmed that the building footprint will not be expanded and the parking areas may be resurfaced but will remain as they currently are.

Site Plan Layout. The applicant did provide a site plan showing their intentions with the site, parking configuration and landscaping improvements. This plan is provided for reference purposes only.

Landscaping. Some changes are proposed to the landscaping areas west of and adjacent to the building but none of these changes will have any impact on the proposed use of the building.

Parking. The site currently includes 36 parking stalls in the existing parking area located north of the building. The amount of parking is sufficient for the proposed use as most of the children who will frequent the facility are dropped off and picked up and parking areas are utilized primarily by employees of the facility.

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 building construction 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.
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 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.

Engineering and Public Works Divisions Review. The Tooele City Engineering and Public Works Divisions have not issued any comments regarding the requested conditional use permit.

Tooele City Fire Department Review. The Tooele City Fire Department 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 Kris Pasker, representing PGAW Architects, application number P22-926, subject to the following conditions:

1. That all requirements of the Tooele City Building Division shall be satisfied through out the remodeling of the building interior, including permitting.
2. That all requirements of the Tooele City Fire Department shall be satisfied throughout through out the remodeling of the building interior.

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 Kris Pasker, representing PGAW Architects to authorize the uses of “Cultural Activities and Uses” and “Private Educational Facility” to be conducted in the existing commercial structure located at 310 South Main Street, application number P22-926, based on the findings and subject to the conditions listed in the Staff Report dated August 16, 2022:”

1. List findings of fact and conditions...

Sample Motion for Denial – “I move we deny the Conditional Use Permit Request by Kris Pasker, representing PGAW Architects to authorize the uses of “Cultural Activities and Uses” and “Private Educational Facility” to be conducted in the existing commercial structure located at 310 South Main Street, application number P22-926, based on the following findings:”

1. List findings of fact ...

EXHIBIT A

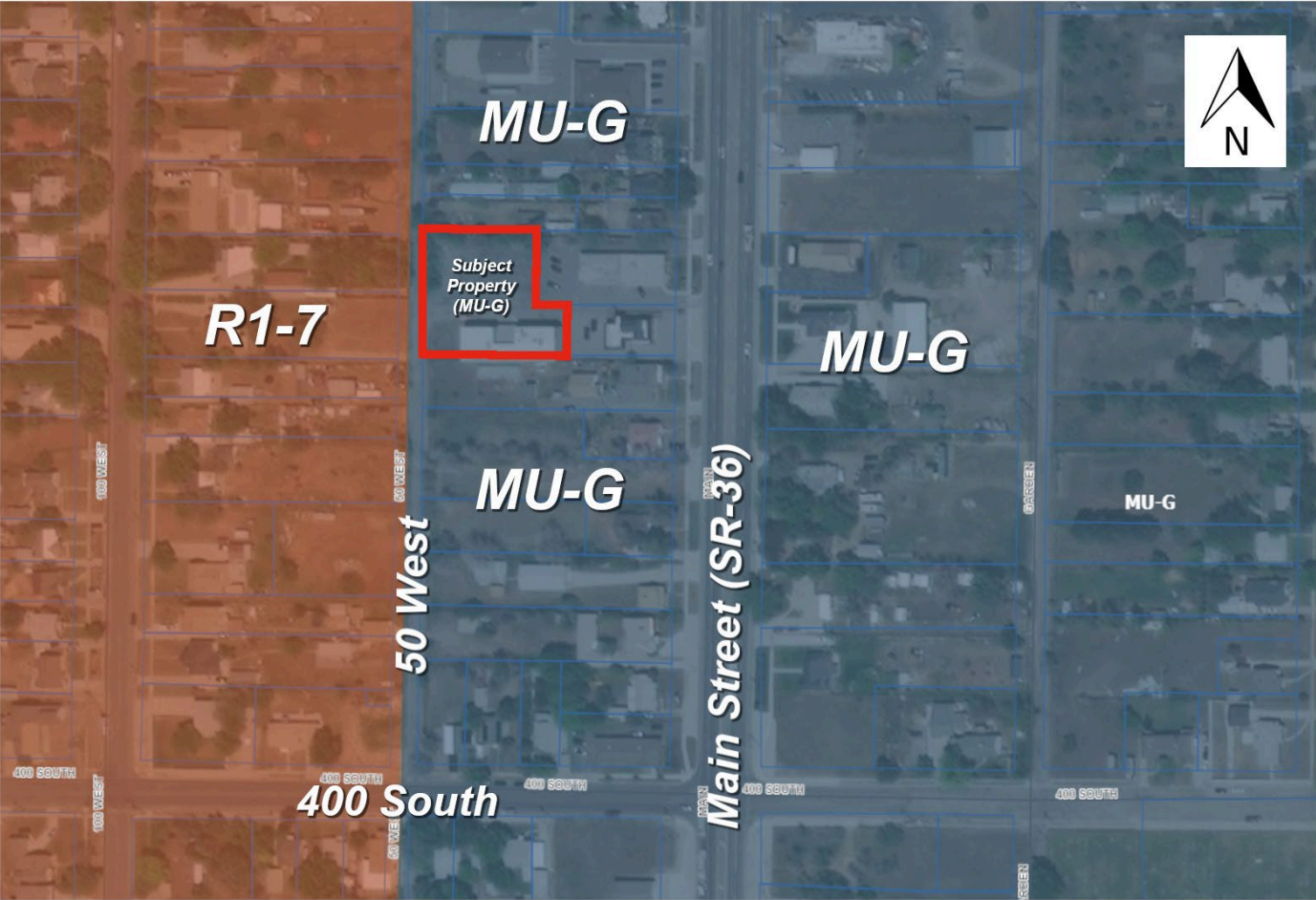
**MAPPING PERTINENT TO THE
BOYS & GIRLS CLUB CONDITIONAL USE PERMIT**

Boy's and Girl's Club Conditional Use



Aerial View

Boy's and Girl's Club Conditional Use



Current Zoning

EXHIBIT B

**PROPOSED DEVELOPMENT PLANS &
APPLICANT SUBMITTED INFORMATION**

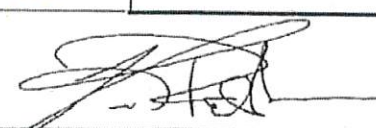
Conditional Use Permit Application

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

www.tooelecity.org



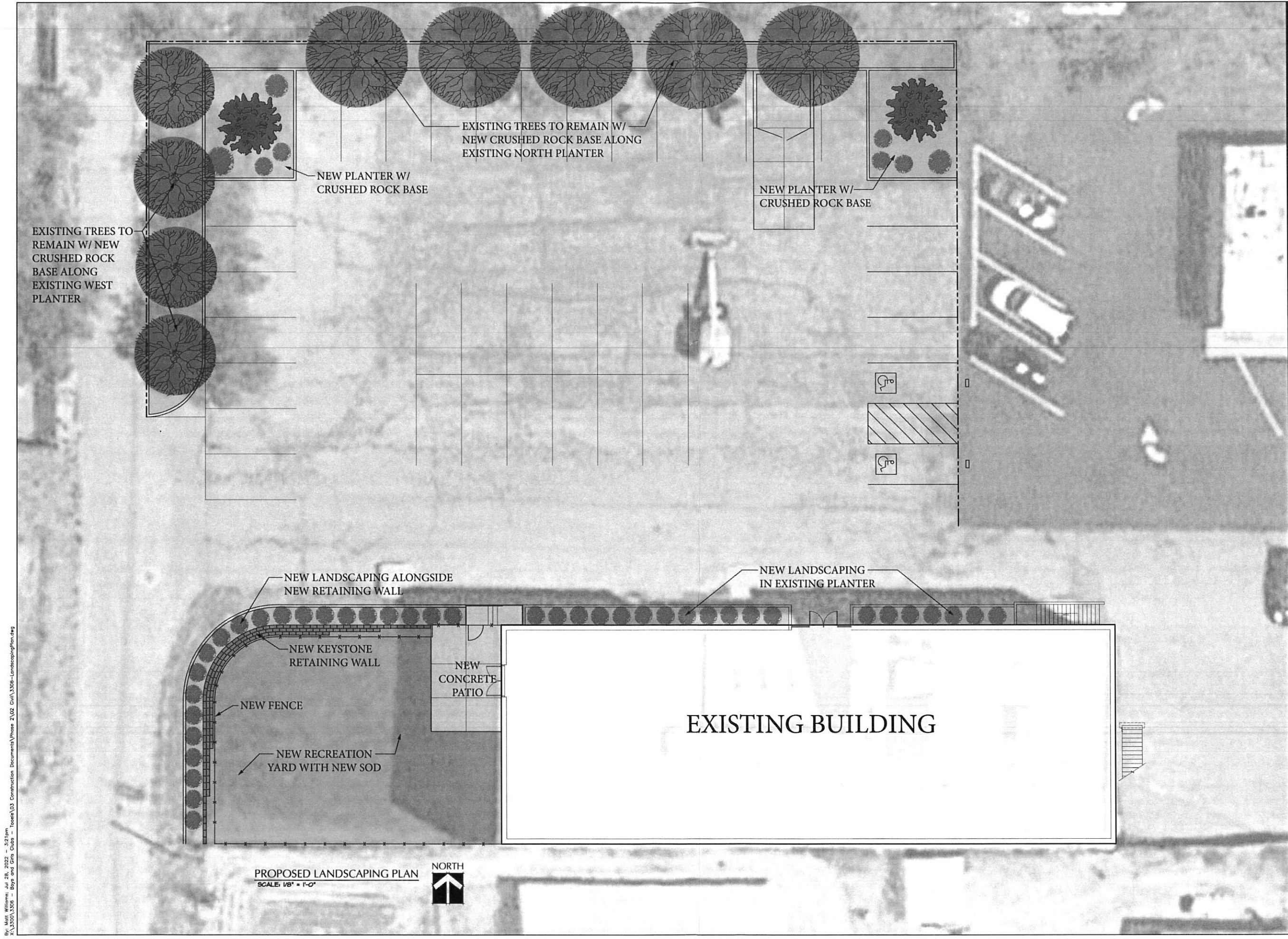
Notice: The applicant must submit copies of the pertinent plans and documents to be reviewed by the City in accordance with the terms of the Tooele City Code. All submitted Conditional Use Permit applications shall be reviewed in accordance with all applicable City ordinances and requirements, are subject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

Project Information				P22-926			
Date of Submission: 7/28/2022		Current Zoning: Mixed Use		Parcel #(s): 02-057-0-0034			
Project Name: Boys & Girls Club				Acres: .62 acres			
Project Address: 310 S Main Street				Units:			
Project Description: Remodel of an existing building							
Current Use of Property: Office building for England Construction							
Property Owner(s): Boys & Girls Club				Applicant(s): Kris Pasker / PGAW Architects			
Address: 179 E 5065 S				Address: 5263 S Commerce Dr			
City: Murray	State: UT	Zip: 84107	City: Murray	State: UT	Zip: 84107		
Phone: 801-261-6180				Phone: 801-641-2663			
Contact Person: Amanda Hughes				Address: 179 E 5065 S			
Phone: 801-261-6180				City: Murray	State: UT	Zip: 84107	
Cellular: 801-322-4411	Fax:		Email: ahughes@gslclubs.org				
Signature of Applicant: 							
Date: 7/28/2022							

*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.

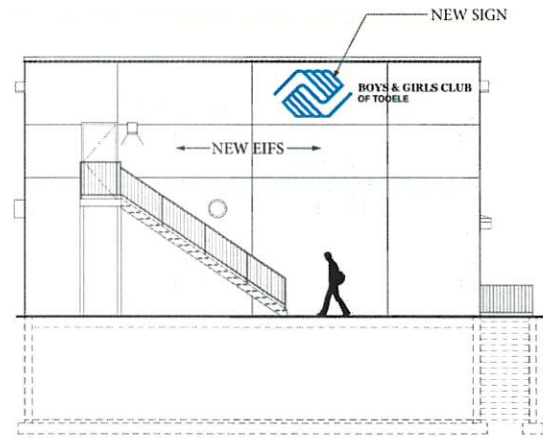
For Office Use Only				2220934			
Fee: \$600.00 (213)		Received By: Jessi		Date Received: 8/9/22		Receipt #: 00497291	



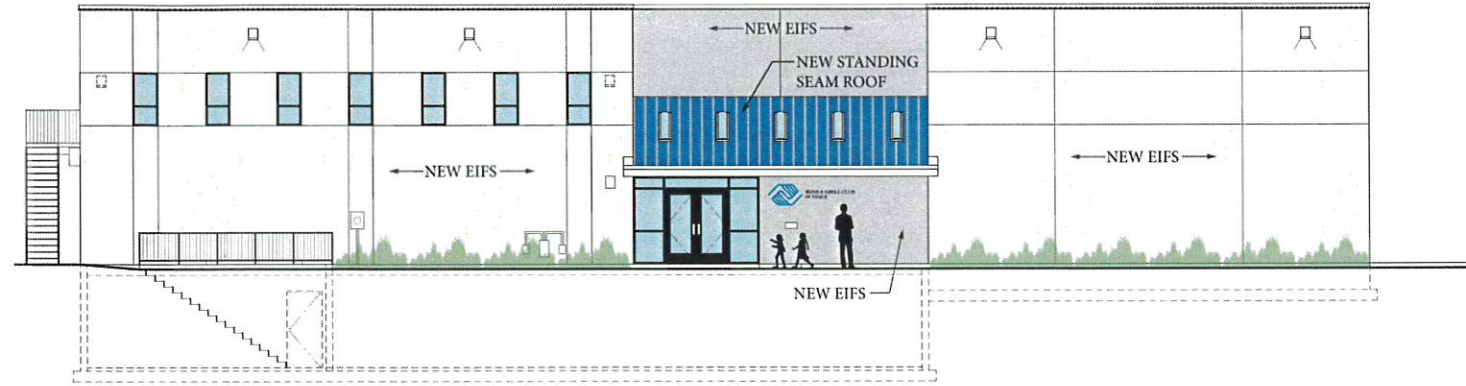
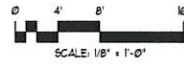
PROPOSED LANDSCAPING PLAN
SCALE: 1/8" = 1'-0"



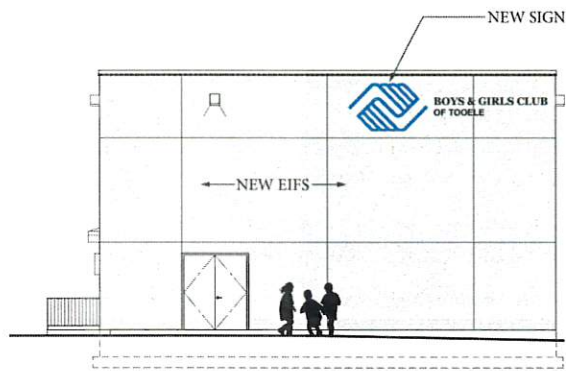
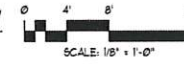
By: Matt Williams: Jul 28, 2022 - 5:21pm
X:\3306\3306 - Boys and Girls Clubs - Tooele\03 Construction Documents\Phase 2\02 Civil\3306-LandscapingPlan.dwg



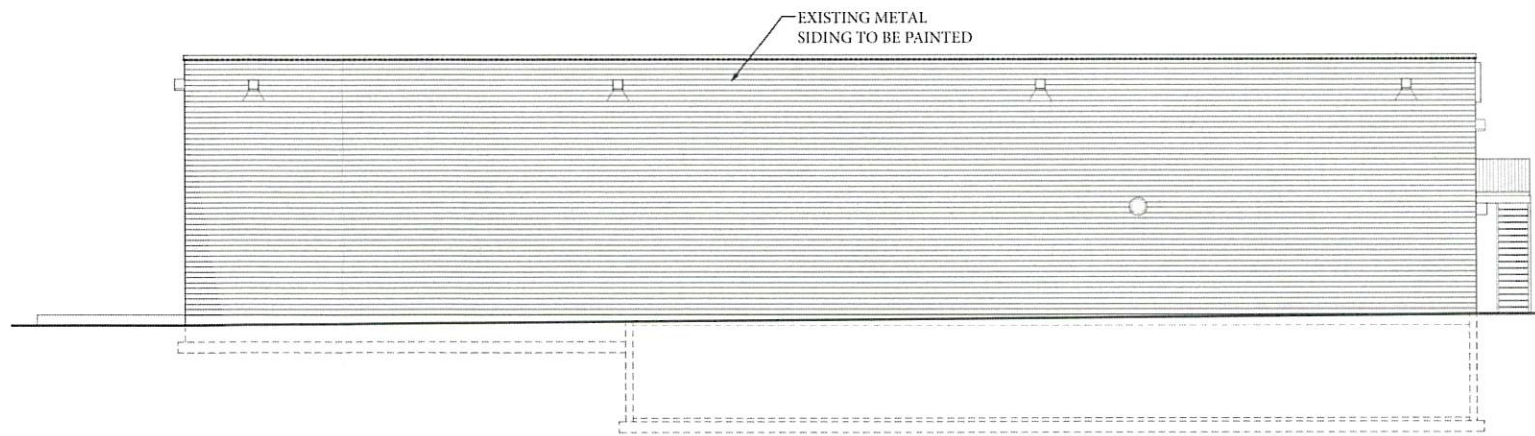
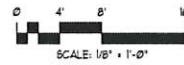
1 EXTERIOR EAST ELEVATION - SIDE VIEW
SCALE: 1/8" = 1'-0"



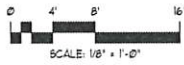
2 EXTERIOR NORTH ELEVATION - FRONT VIEW
SCALE: 1/8" = 1'-0"



3 EXTERIOR WEST ELEVATION - SIDE VIEW
SCALE: 1/8" = 1'-0"



4 EXTERIOR SOUTH ELEVATION - REAR VIEW
SCALE: 1/8" = 1'-0"



DATE PLOT: 6/22/22

PROPOSED EXTERIOR ELEVATIONS

A NEW BUILDING REMODEL - PHASE II

TOOELE BOYS AND GIRLS CLUBS

310 SOUTH MAIN STREET TORRELE, UTAH

PRELIMINARY DRAWINGS

DATE: JUNE 2022
JOB NO: 3306

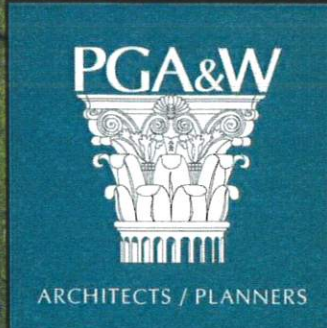
© PG&W 2022

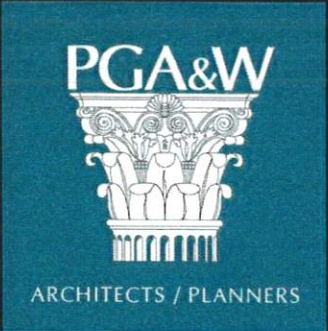
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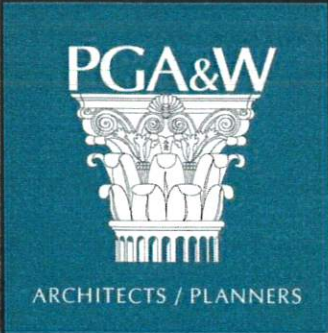
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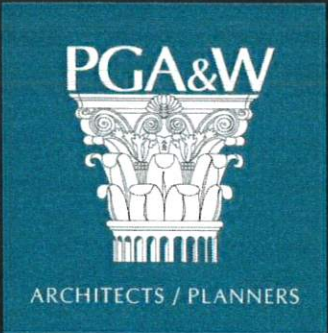


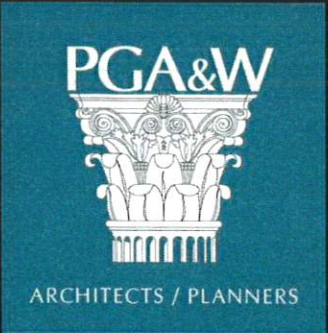
 **BOYS & GIRLS CLUB**
OF COLE

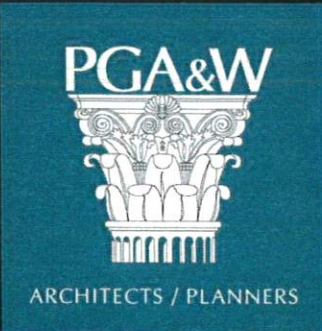




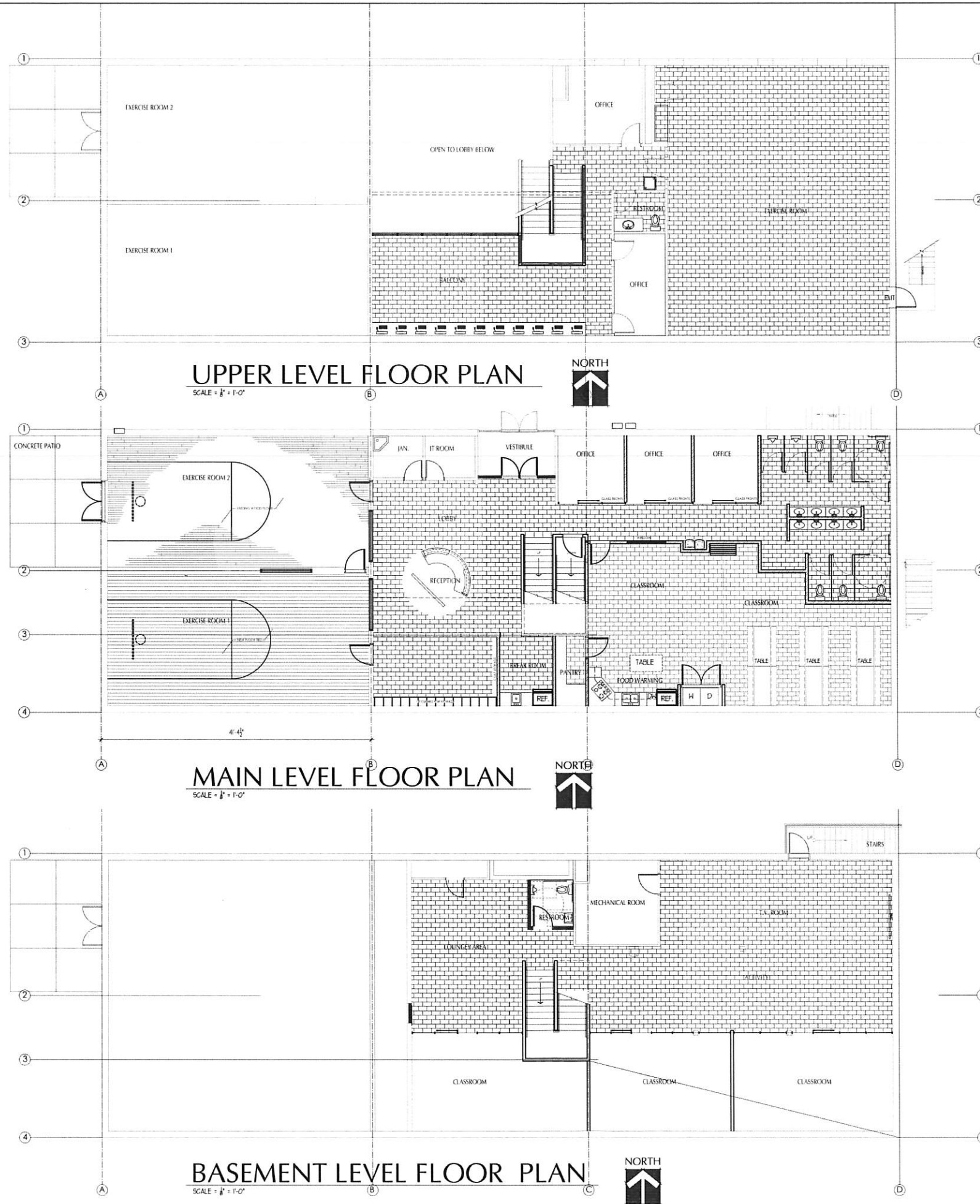








By: Jeff Jeppson, Jul 14, 2022 - 9:27 am
 K:\3300\3306 - Boys and Girls Clubs - Iona\03 Construction Documents\Phase 2\04 Architectural\3306_A1.1_1.jeff.dwg



GENERAL FLOOR PLAN NOTES

- A. DO NOT SCALE DRAWINGS.
- B. THE CONTRACTOR SHALL FIELD VERIFY ALL DIMENSIONS AND JOB CONDITIONS AND SHALL REPORT TO THE OWNER ANY DISCREPANCIES AND/OR OMISSIONS WHICH COULD INTERFERE WITH THE SATISFACTORY COMPLETION OF THE WORK HEREIN.
- C. DIMENSIONS ARE TAKEN FROM FACE OF NEW FINISH MATERIALS. ALLOW FOR TOLERANCES WHEN FIELD MEASURING FOR APPLIANCES, CASEWORK, AND OTHER FIXTURES.
- D. CONTRACTOR SHALL BE RESPONSIBLE FOR REMOVAL AND RECYCLING/ DISPOSAL OF ALL CONSTRUCTION DEBRIS.
- E. CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING ALL CONSTRUCTION ACTIVITIES.
- F. ALL INTERIOR DOOR FRAMES SHALL BE SET 2" MIN. FROM PERPENDICULAR WALL AT HINGE SIDE OF DOOR UNLESS NOTED OTHERWISE.
- G. AT OFFICES, MAINTAIN MIN. 1'-0" CLEAR DIMENSION BETWEEN DOOR FRAME AND BORROWED LITE FRAME.
- H. PROVIDE FRITH BLOCKING FOR ALL WALL MOUNTED ITEMS INCLUDING TOILET ROOM ACCESSORIES, MONITORS, ETC.
- I. REFER TO DRAWING A-101 FOR FINISHES PLAN.
- J. REFER TO DRAWING A-102 FOR FFE PLAN AND T-001 FOR RESPONSIBILITY MATRIX.
- K. CONTRACTOR TO COORDINATE WITH TENANT'S PROJECT MANAGER THE SEQUENCE OF WORK WITH DOWNSIDE DELIVERY AND ACCESS. NOTE: SAFE REQUIRES MIN. 3'-6" DOOR OPENING WIDTH IN ORDER TO FIT THROUGH DOORWAY. WHERE MINIMUM WIDTH IS NOT AVAILABLE FROM DELIVERY DROP-OFF POINT TO DOWNSIDE ROOM, NOTIFY TENANT'S PM IN ORDER TO MAKE NECESSARY ARRANGEMENTS FOR MODIFIED SAFE.
- L. ALL INTERIOR BORROWED LITE WINDOWS TO RECEIVE INTEGRAL 1" HORIZONTAL MINI BLINDS BETWEEN GLASS. INSTALL CONTROL ON INTERIOR OFFICE SIDE.
- M. FIRE EXTINGUISHERS TO BE TYPE 2A/10B.C. PROVIDE WITH HALL MOUNT BRACKETS, MOUNT WITH TOP AT 42" AFF.
- N. CONCRETE FLOOR SLAB TESTING.
- O. CONCRETE FLOOR SLAB TESTING.
- P. PRIOR TO INSTALLING FINISH FLOOR MATERIALS, VERIFY CONCRETE SUBSTRATES ARE PREPARED IN ACCORDANCE TO ASTM F 10.
- Q. PERFORM ALKALINITY AND ADHESION TESTING AS RECOMMENDED BY FLOOR FINISH MANUFACTURER.
- R. ALL CONCRETE SLABS MUST BE CHECKED FOR MOISTURE. PRIOR TO INSTALLATION OF FINISH FLOOR MATERIAL, FOLLOW ASTM F 1869 RECOMMENDATIONS FOR PERFORMING CALCIUM CHLORIDE TEST AND ASTM F 2150 FOR DETERMINING RELATIVE HUMIDITY IN CONCRETE FLOOR SLABS.
- S. PROVIDE WRITTEN COPIES OF TESTS TO TENANT'S REPRESENTATIVE AND ARCHITECT PRIOR TO INSTALLATION.

KEYED FLOOR PLAN NOTES



PGA&W ARCHITECTS
 ARCHITECTS / PLANNERS 5063 SOUTH CORNER DRIVE - SUITE 204 - MERRY, UTAH 84077 - PHONE: 801-266-4664

DRAWN BY:
 REVISIONS

FLOOR PLANS

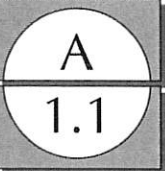
A NEW BUILDING REMODEL - PHASE II

TOOELE BOYS AND GIRLS CLUBS
 310 SOUTH MAIN STREET TOOELE, UTAH

PRELIMINARY DRAWINGS

DATE: JUNE 2022
 JOB NO: 3306
 © PGA&W - 2018

PHASE II



STAFF REPORT

August 18, 2022

To: Tooele City Planning Commission
Business Date: August 24, 2022

From: Planning Division
Community Development Department

Prepared By: Jim Bolser, Director

Re: Legacy Apartments – Zoning Map Amendment Request

Application No.: P22-899
Applicant: Tooele City
Project Location: 800 North 100 East
Zoning: MR-25 Multi-Family Residential Zone
Acreage: Approximately 9.12 Acres (Approximately 397,270 ft²)
Request: Request for approval of a Zoning Map Amendment regarding reassignment of property resulting from the elimination of the MR-25 Multi-Family Residential zoning district.

BACKGROUND

This application is a request for approval of a Zoning Map Amendment for approximately 9.12 acres located on the east side of 100 East, at approximately 800 North. The site was originally proposed for development approval in August 2017 and was subsequently approved for development in early 2018. The project approved at that time included 11 apartment buildings and a clubhouse on the site. There was additional area available within the development but was limited to the 11 buildings by the density limitations of the MR-16 Multi-Family Residential zoning district, to which it was assigned at the time. On March 20, 2019, the City Council voted unanimously to adopt Ordinance 2019-08 which, in part, established a new higher density multi-family residential zoning district as the MR-25 zone. On March 27, 2019, the developers of the Legacy Apartments project filed an application to amend the approved site plan to include a 12th apartment building with the anticipation of the zoning for the site being reassigned to the newly created MR-25 zone. On April 17, 2019, the City Council voted unanimously to reassign the Legacy Apartments site to the new MR-25 Multi-Family Residential zoning district. The amended site plan was subsequently approved and the site completed the development process with 12 apartment buildings and a clubhouse. The property has remained assigned to the MR-25 Multi-Family Residential zone ever since. On July 6, 2022, the City Council approved Ordinance 2022-22 by a vote of 3 to 2 which, in part, eliminated the MR-25 Multi-Family Residential zoning district. With the zoning district approved and assigned to the Legacy Apartments site no longer in existence with the approval of Ordinance 2022-22, the subject application is being brought forward to reassign the site to a valid zoning district.

ANALYSIS

Zoning. The Land Use Map of the General Plan calls for the High Density Residential land use designation for the subject property. The property has previously been assigned the MR-25 Multi-Family Residential zoning classification, supporting up to 25 dwelling units per acre. With the elimination of the MR-25 zoning district,

the site in question could be interpreted to have no valid zoning assignment making the site and all uses completely non-conforming where there are no allowed uses or regulations applicable to the site upon which conformity can be determined. The purpose of the MR-25 zone was to “provide an environment and opportunities for high-density residential uses, primarily, apartments, condominiums and townhouses.” A review of the approved development plans for the site indicates that the site was developed to a density of slightly more than 19 dwelling units per acre. This, then, would make the site conforming if reassigned to the 20 dwelling units per acre density of the new MR-20 Multi-Family zoning district, created by Ordinance 2022-22. The purpose of the MR-20 zone, collectively with the other multi-family zoning districts, is to “provide an environment and opportunities for high-density residential uses, primarily, apartments, condominiums and townhouses at varying levels of density determined by the individual zoning districts.” The subject application is requesting to reassign the existing Legacy Apartments site to the MR-20 Multi-family Residential zoning district. Mapping pertinent to the subject request can be found in Exhibit “A” to this report.

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

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

REVIEWS

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

1. The subject request will not affect or change the existing development of the site.
2. The subject request will allow the site and the uses of the site to remain regulated under a valid zoning district outlined in the Tooele City Code.
3. The subject request will allow the existing use of the site to again be conforming to the terms of the Tooele City Code.

Engineering Review. The Tooele City Engineering Division has completed their review of the Zoning Map Amendment submission and have issued a recommendation for approval for the request without further comment.

Building Division Review. The Tooele City Building Division has completed their review of the Zoning Map Amendment submission and has issued a recommendation for approval for the request without further comment.

Tooele City Fire Department Review. The Tooele City Fire Department has completed their review of the Zoning Map Amendment submission and has issued a recommendation for approval for the request with the following comment:

1. The subject request will not affect or change the existing development of the site nor the Fire Department’s ability to respond to the public safety needs of the development or the area.

Noticing. The applicant has expressed their desire to rezone 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 Zoning Map Amendment by Tooele City, application number P22-899.

This recommendation is based on the following findings:

1. The proposed Zoning Map Amendment meets the intent, goals, and objectives of the Master Plan.
2. The proposed Zoning Map Amendment meets the intent, goals, and objectives of the Tooele City General Plan.
3. The proposed Zoning Map Amendment meets the requirements and provisions of the Tooele City Code.
4. The proposed Zoning Map Amendment will not be deleterious to the health, safety, and general welfare of the general public nor the residents of adjacent properties.
5. The proposed Zoning Map Amendment 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.

MODEL MOTIONS

Sample Motion for a Positive Recommendation – “I move we forward a positive recommendation to the City Council for the Legacy Apartments Zoning Map Amendment Request by Tooele City for the Legacy Apartments Zoning Map Amendment, application number P22-899, based on the findings listed in the Staff Report dated August 18, 2022:”

1. List any additional findings ...

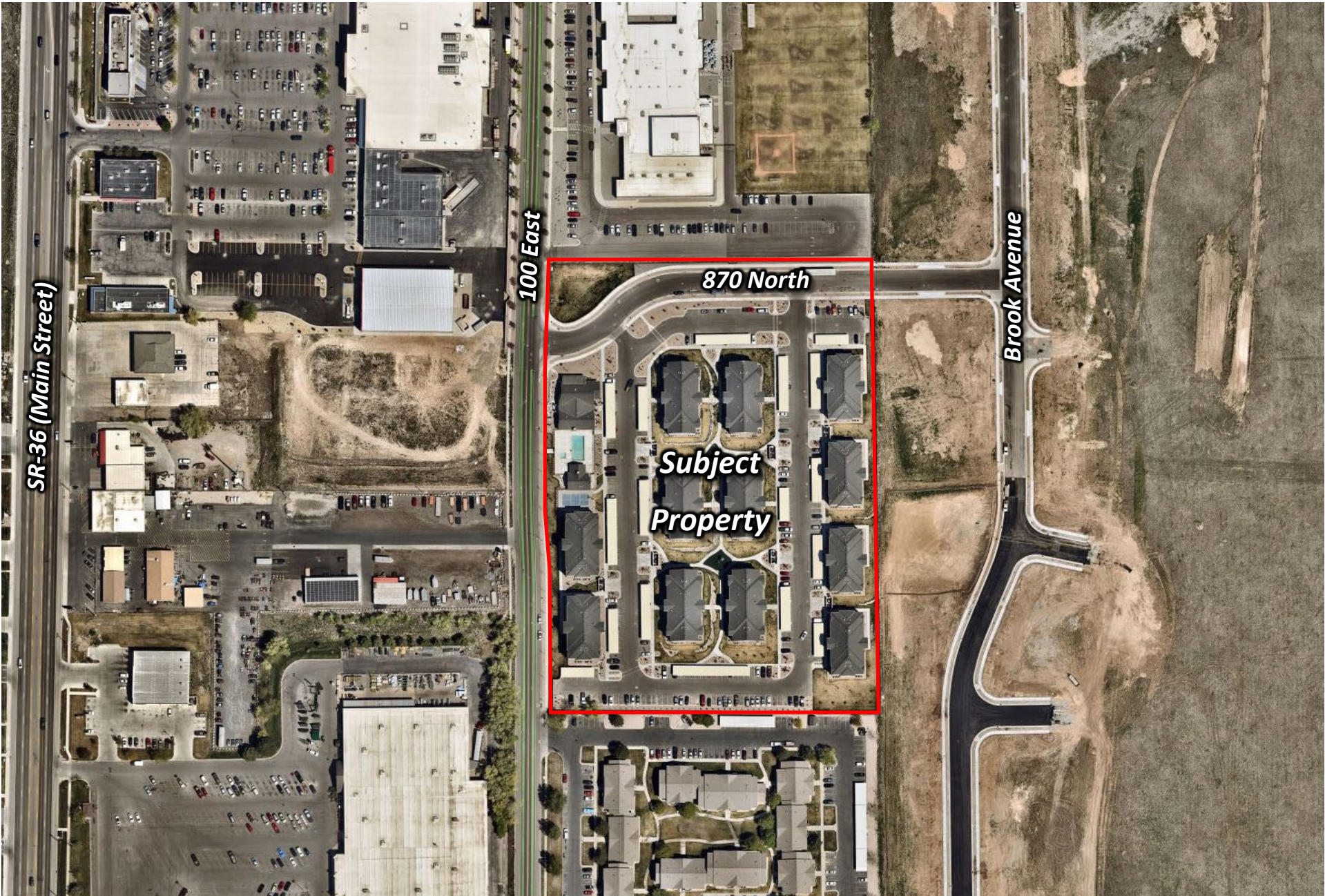
Sample Motion for a Negative Recommendation – “I move we forward a negative recommendation to the City Council for the Legacy Apartments Zoning Map Amendment Request by Tooele City for the Legacy Apartments Zoning Map Amendment, application number P22-899, based on the following findings:”

1. List findings...

EXHIBIT A

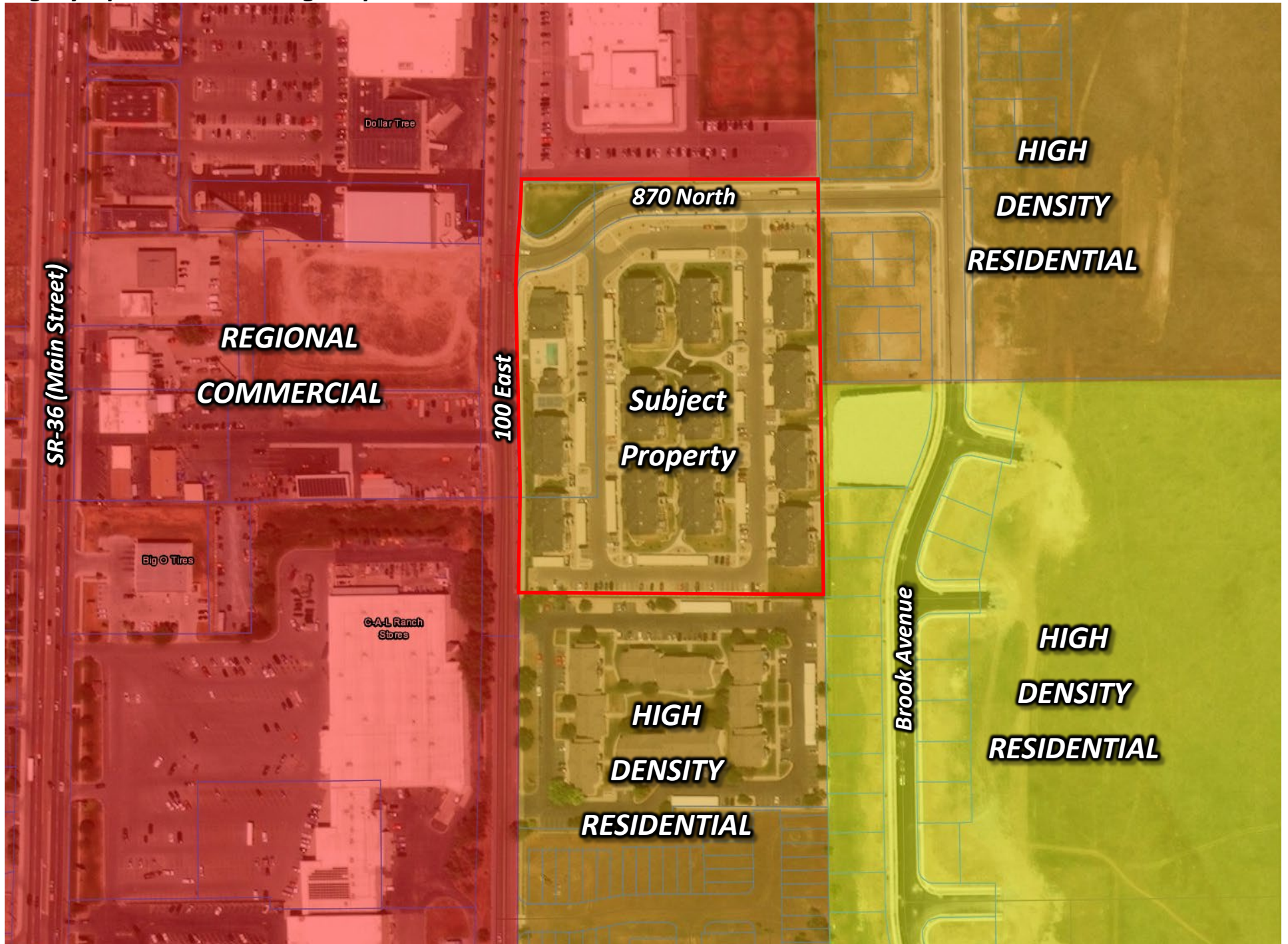
**MAPPING PERTINENT TO THE
LEGACY APARTMENTS ZONING MAP AMENDMENT**

Legacy Apartments Zoning Map Amendment



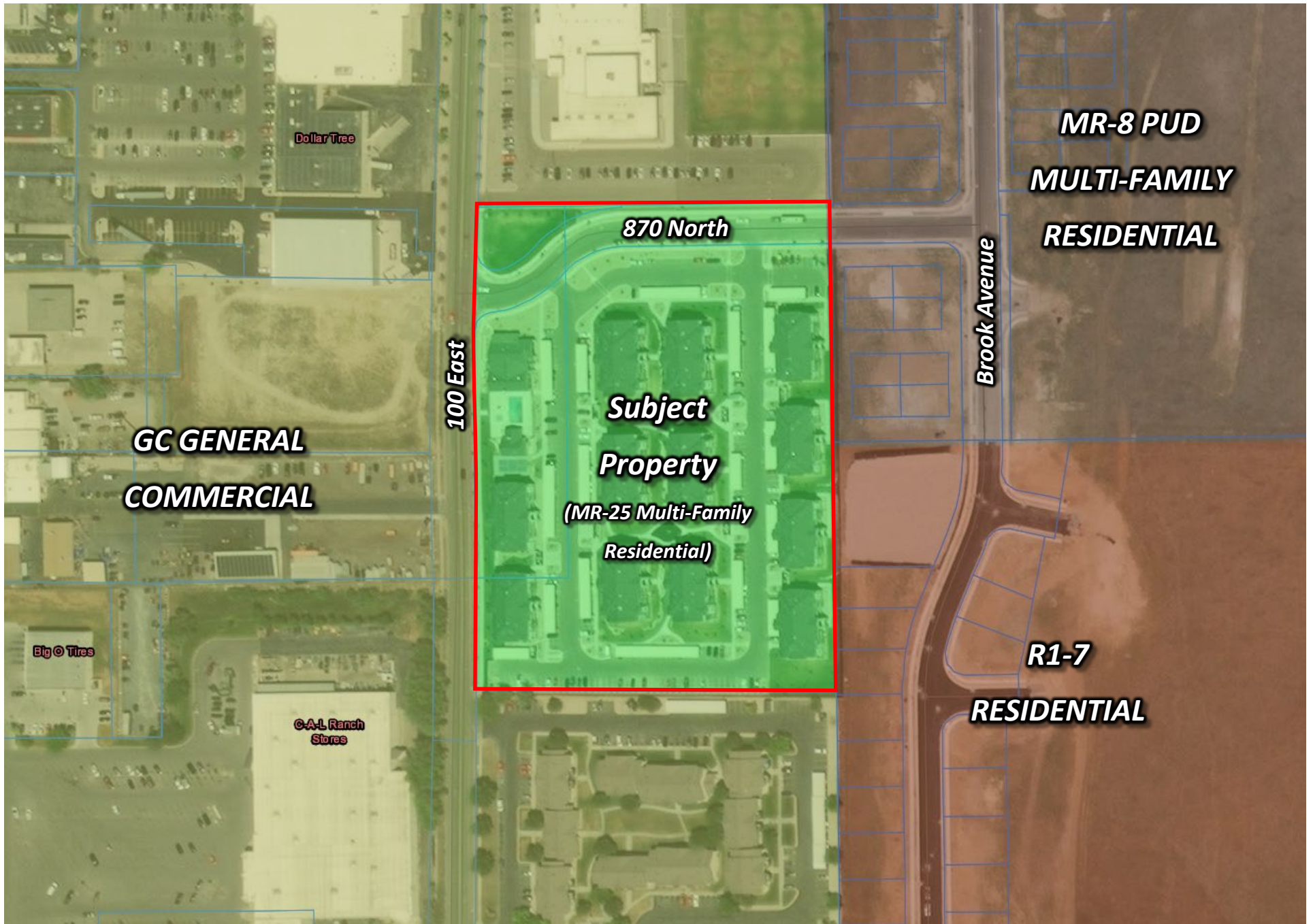
Aerial Map

Legacy Apartments Zoning Map Amendment

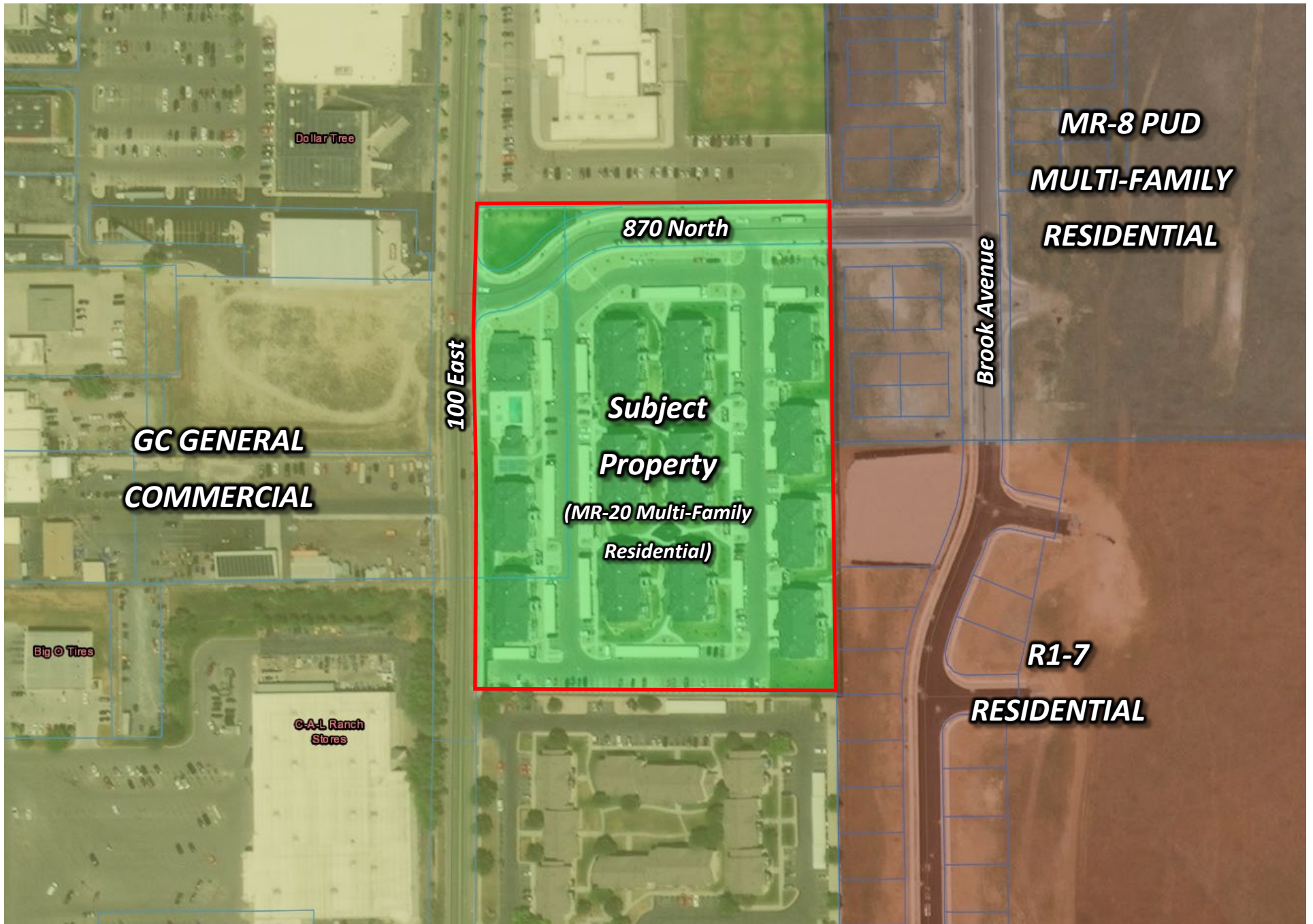


Land Use Map

Legacy Apartments Zoning Map Amendment



Legacy Apartments Zoning Map Amendment



STAFF REPORT

August 17, 2022

To: Tooele City Planning Commission
Business Date: August 24, 2022

From: Planning Division
Community Development Department

Prepared By: Andrew Aagard, City Planner / Zoning Administrator

Re: W & R Subdivision – Minor Subdivision Request

Application No.: P22-38
Applicant: Wendel Burt, representing W & R Enterprises, LC
Project Location: Approximately 400 East 2400 North
Zoning: GC General Commercial Zone
Acreage: 8.58 Acres (Approximately 373,632 ft²)
Request: Request for approval of a Minor Subdivision in the GC General Commercial zone.

BACKGROUND

This application is a request for approval of a Minor Subdivision for approximately 8.58 acres located at approximately 400 East 2400 North. The property is currently zoned GC General Commercial. The applicant is requesting that a Minor Subdivision be approved to allow for the development of the currently vacant site as an automobile service center, auto parts retail and other commercial businesses. The proposed subdivision will create 6 platted lots out of the existing 8 acre parcel of record.

ANALYSIS

General Plan and Zoning. The Land Use Map of the General Plan calls for the Regional Commercial land use designation for the subject property. The property has been assigned the GC General Commercial zoning classification. The GC General Commercial zoning designation is not identified by the General Plan as a preferred zoning classification for the Regional Commercial land use designation. Properties located to the north, west and east of the subject property are zoned GC General Commercial. Properties to the south are zoned IS Industrial Service. Mapping pertinent to the subject request can be found in Exhibit “A” to this report.

Subdivision Layout. The subdivision proposes splitting an existing 8.6 acre parcel of record into 6 commercial lots ranging in size from 1 acre up to 2.08 acres. There are no lot size restrictions for lots in existing General Commercial areas and each lot easily exceeds the minimum 80 foot lot width requirement. Most lots will front onto and access 2400 North with the two corner lots having possible access to 400 East and 600 East.

Frontage improvements will be installed along 400 East, 600 East and 2400 North street including asphalt, curb, gutter, park strip and sidewalk and will, ultimately, complete the entire right-of-way.

Criteria For Approval.

The procedure for approval or denial of a Minor Subdivision 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 Minor Subdivision submission and has issued a recommendation for approval for the request.

Engineering & Public Works Division Review. 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.

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

STAFF RECOMMENDATION

Staff recommends approval of the request for a Minor Subdivision by Wendel Burt, representing W & R Enterprises, LC, application number P22-38, 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.

MODEL MOTIONS

Sample Motion for a Positive Recommendation – “I move we forward a positive recommendation to the City Council for the W & R Subdivision Minor Subdivision Request by Wendel Burt, representing W & R Enterprises, LC to subdivide 8.6 acres into 6 commercial lots located at 400 East 2400 North, application number P22-38, based on the findings and subject to the conditions listed in the Staff Report dated August 17, 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 W & R Subdivision Minor Subdivision Request by Wendel Burt, representing W & R Enterprises, LC to subdivide 8.6 acres into 6 commercial lots located at 400 East 2400 North, application number P22-38, based on the following findings:”

1. List findings...

EXHIBIT A

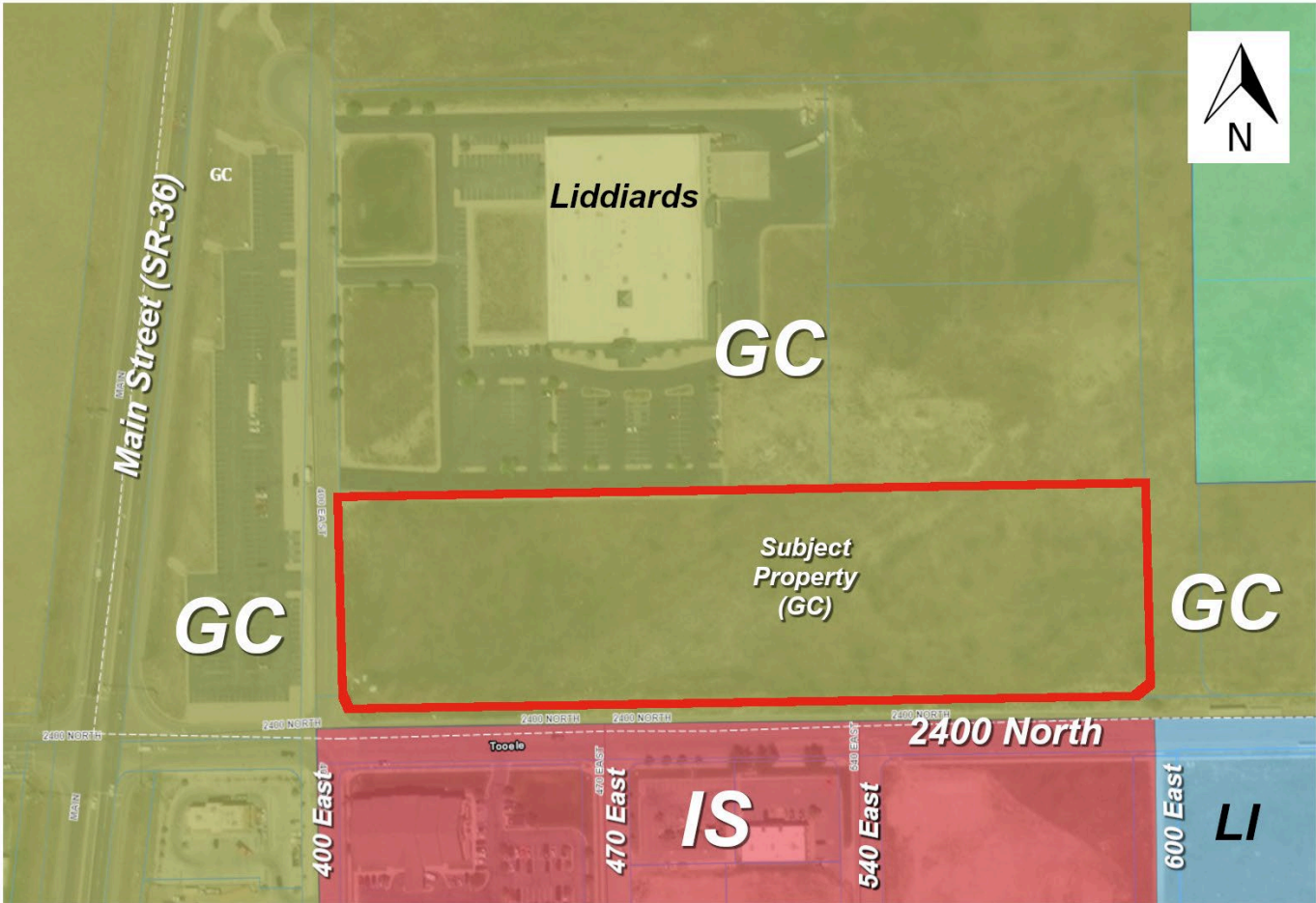
MAPPING PERTINENT TO THE W & R SUBDIVISION MINOR SUBDIVISION

W & R Minor Subdivision



Aerial View

W & R Minor Subdivision



Current Zoning

EXHIBIT B

**PROPOSED DEVELOPMENT PLANS &
APPLICANT SUBMITTED INFORMATION**

Minor Subdivision 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 plat and plans to be reviewed by the City in accordance with the terms of the Tooele City Code. Once a set of plat and plans are submitted, the plat and plans are subject to compliance reviews by the various city departments and may be returned to the applicant for revision if the plat and plans are found to be inconsistent with the requirements of the City Code and all other applicable City ordinances. All submitted plat and plan proposals shall be reviewed in accordance with the Tooele City Code. Submission of final plat and 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.

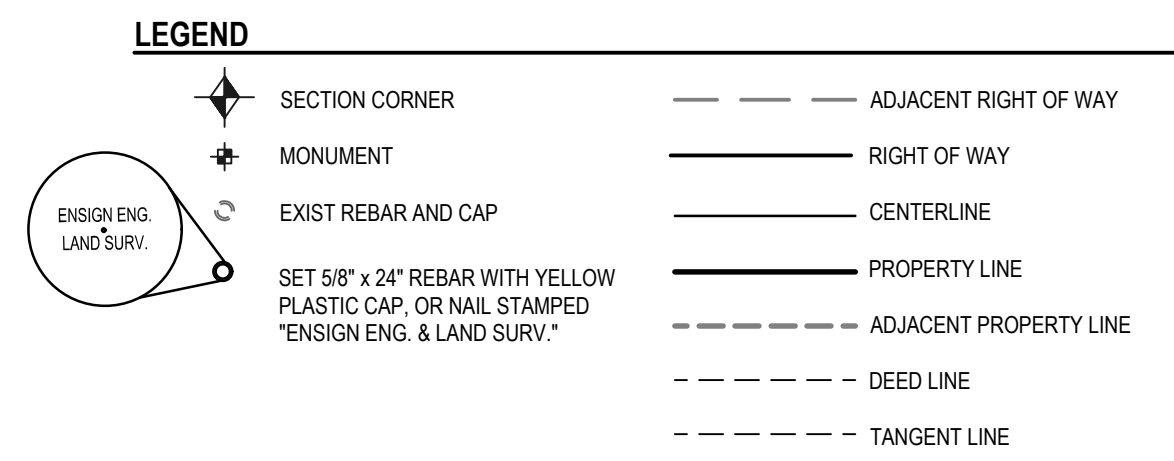
Project Information					
Date of Submission: 1/13/22	Submittal #: <input checked="" type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4	Zone: GC	Acres: 8.58	Parcel #(s): 02-144-0-0041	
Project Name: W&R SUBDIVISION					
Project Address: 400 EAST 2400 NORTH					
Project Description: COMMERCIAL SUBDIVISION			Phases:	Lots: 6	
Property Owner(s): W&R ENTERPRISES LLC			Applicant(s): W&R ENTERPRISES LLC		
Address: 737 NORTH 400 WEST			Address:		
City: NORTH SALT LAKE	State: UT	Zip: 84054	City:	State:	Zip:
Phone: 801-335-0314	Email: wendel@burtbrother.com		Phone:	Email:	
Contact Person: WENDEL BURT			Address:		
Phone:			City:	State:	Zip:
Cellular:	Fax:	Email:			
Engineer & Company: ENSIGN ENGINEERING			Surveyor & Company: ENSIGN ENGINEERING		
Address: 169 N MAIN STREET			Address: 169 N MAIN STREET		
City: TOOELE	State: UT	Zip: 84074	City: TOOELE	State: UT	Zip: 84074
Phone: 435-843-3590	Email: jcid@ensignutah.com		Phone: 435-843-3590	Email: dknsman@ensignutah.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.

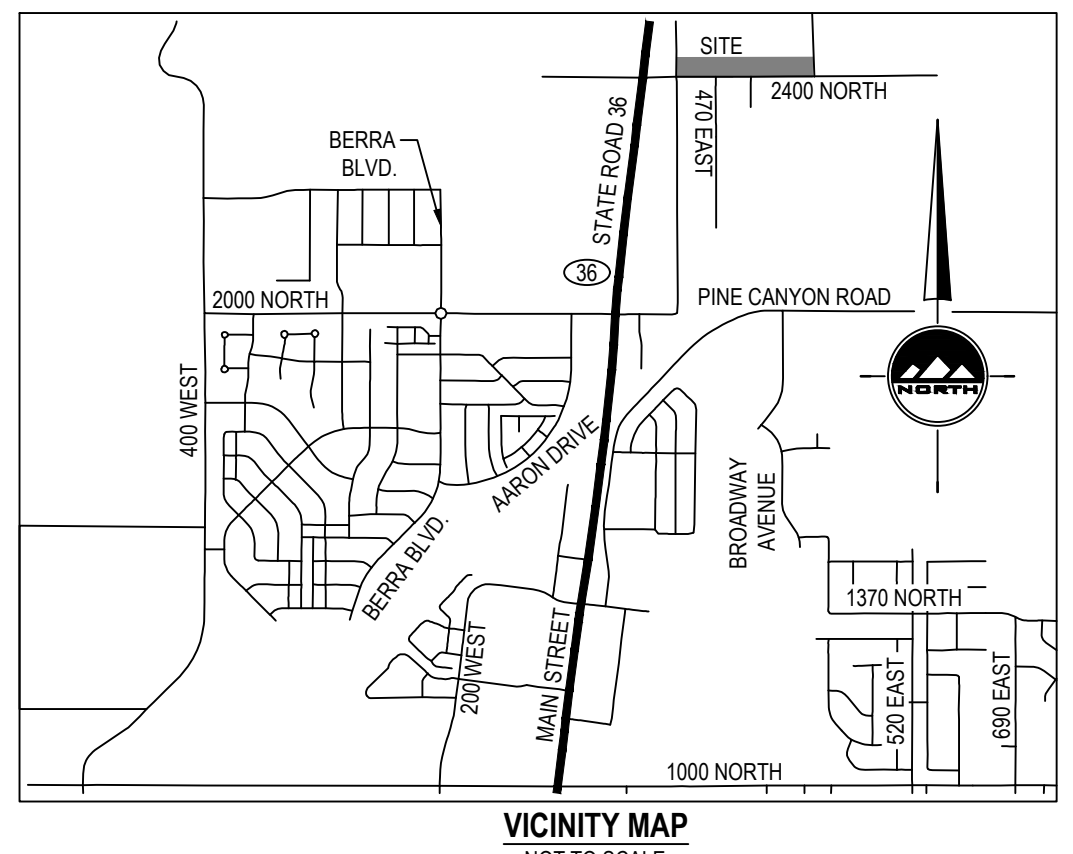
In code #222 0039 \$1300⁰⁰

451964 1/13/22 HT

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:	Comments Returned: Date:		
		<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No		

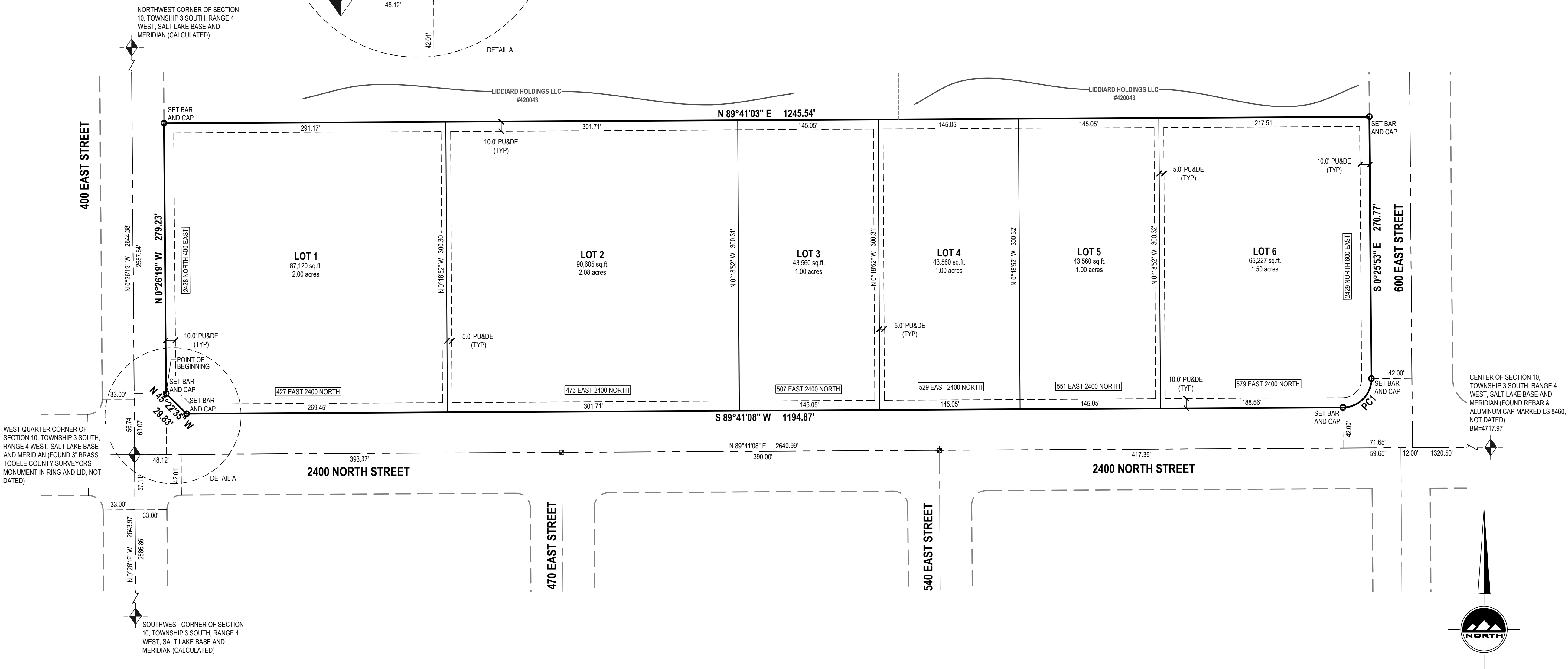
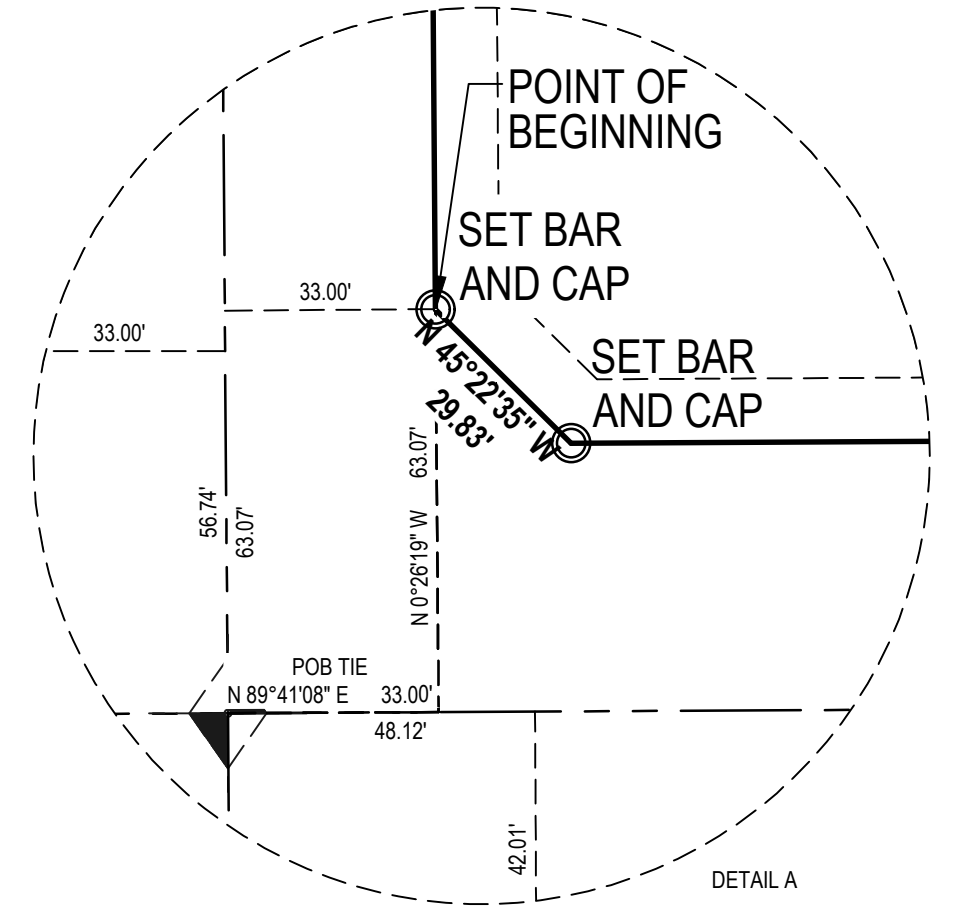


**FINAL PLAT
W&R SUBDIVISION**
LOCATED IN THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN, TOOELE CITY, TOOELE COUNTY, UTAH



CURVE TABLE

CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
PC1	29.50'	46.40'	90°07'01"	S44°37'37"W	41.76'



SURVEYOR'S CERTIFICATE

I, Douglas J. Kinsman, do hereby certify that I am a Professional Land Surveyor, and that I hold License No. 334575, in accordance with Title 58, Chapter 22, of the Professional Engineers and Land Surveyors Act. I further certify that by authority of the owners I have completed a survey of the property described on this subdivision plat in accordance with Section 17-23-17, have verified all measurements, and have subdivided said tract of land into lots and streets, together with easements, hereafter to be known as W&R Subdivision and that the same has been correctly surveyed and monumented on the ground as shown on this plat.

Boundary Description

A parcel of land, situate in the Northwest Quarter of Section 10, Township 3 South, Range 4 West, Salt Lake Base and Meridian, said parcel also located in Tooele, Utah, more particularly described as follows:

Beginning at a point on the east line of 400 East Street, said point being North 89°41'08" East 33.00 feet along the Quarter Section line and North 0°26'19" West 63.07 feet from the found monument representing the West Quarter Corner of Section 10, Township 3 South, Range 4 West, Salt Lake Base and Meridian, and running:

thence North 0°26'19" West 279.23 feet along the east line of said 400 East Street;
 thence North 89°41'03" East 1245.54 feet to the west line of 600 East Street;
 thence South 0°25'53" East 270.77 feet, thence along said west line;
 thence Southwesterly 46.40 feet along the arc of a 29.50-foot radius tangent curve to the right (center bears South 89°34'07" West and the long chord bears South 44°37'37" West 41.76 feet with a central angle of 90°07'01") to the north line of 2400 North Street;
 thence South 89°41'08" West 1194.87 feet along the said north line;
 thence North 45°22'35" West 29.53 feet; to the point of beginning.

Contains 373,632 square feet or 8.58 acres.

Date: **FEB 15, 2022**
 Douglas J. Kinsman
 License no. 334575

OWNER'S DEDICATION AND CONSENT TO RECORD

Know all men by these presents that the undersigned are the owner(s) of the heron described tract of land and hereby cause the same to be divided into lots together with easements as set forth hereinafter to be known as:

W&R SUBDIVISION

The undersigned owner(s) hereby convey to Tooele City and to any and all public utility companies providing service to the heron described tract a perpetual, non-exclusive easement over the public street and 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. The undersigned owner(s) also hereby convey any other easements as shown to the parties indicated and for the purpose shown hereon.

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

By: W&R ENTERPRISES, L.C.
 WENDEL BURT (OWNER)

By: W&R ENTERPRISES, L.C.
 RON BURT (OWNER)

LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

STATE OF UTAH J.S.S.
 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 the State of Utah, who after being duly sworn, acknowledged to me that He/She is the _____ of _____ a Limited Liability Company and that He/She signed the Owner's Dedication freely and voluntarily for and in behalf of said Limited Liability Company for the purposes therein mentioned and acknowledged to me that said Limited Liability Company executed the same.

MY COMMISSION EXPIRES: _____

NOTARY PUBLIC RESIDING IN _____ COUNTY.

DOMINION ENERGY

DOMINION APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS. DOMINION 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 RIGHT-OF-WAY DEPARTMENT AT 1-800-366-8532.

APPROVED THIS _____ DAY OF _____ A.D. 20____

DOMINION ENERGY

BY _____

TITLE _____

W&R SUBDIVISION

LOCATED IN THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN, TOOELE CITY, TOOELE COUNTY, UTAH

SHEET 1 OF 1

TOOELE
 169 North Main Street Unit 1
 Tooele, Utah 84074
 Phone: 435.843.3590
 Fax: 435.578.0108

SALT LAKE CITY
 Phone: 801.550.0525

LAYTON
 Phone: 801.547.1150

CEAR CITY
 Phone: 435.895.1453

RICHFIELD
 Phone: 435.895.2965

WWW.ENSGNENG.COM

PROJECT NUMBER : T12001
 MANAGER : D. KINSMAN
 DRAWN BY : J. CID
 CHECKED BY : D. KINSMAN
 DATE : 2022-02-15

TOOELE COUNTY RECORDER

RECORDED # _____
 STATE OF UTAH, COUNTY OF TOOELE, RECORDED AND FILED AT THE
 REQUEST OF : _____
 DATE: _____ TIME: _____
 FEES _____ TOOELE COUNTY RECORDER

ROCKY MOUNTAIN POWER COMPANY

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-602(4)(C)(ii) ROCKY MOUNTAIN POWER ACCEPTS DELIVERY OF THE PUE AS DESCRIBED IN THIS PLAT AND APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS AND APPROXIMATES THE LOCATION OF THE PUBLIC UTILITY EASEMENTS, BUT DOES NOT WARRANT THEIR PRECISE LOCATION. ROCKY MOUNTAIN POWER MAY REQUIRE OTHER EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT AFFECT ANY RIGHT THAT ROCKY MOUNTAIN POWER HAS UNDER _____

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

APPROVED THIS _____ DAY OF _____, 20____

ROCKY MOUNTAIN POWER

BY _____

TITLE _____

CITY ENGINEER'S APPROVAL

APPROVED AS TO FORM THIS _____ DAY OF _____, 20____

BY THE TOOELE CITY ENGINEER _____

TOOELE CITY ENGINEER

COMMUNITY DEVELOPMENT APPROVAL

APPROVED AS TO FORM ON THIS _____ DAY OF _____, A.D. 20____

TOOELE CITY COMMUNITY DEVELOPMENT

CITY ATTORNEY'S APPROVAL

APPROVED AS TO FORM THIS _____ DAY OF _____, 20____

BY THE TOOELE CITY ATTORNEY _____

TOOELE CITY ATTORNEY

COUNTY SURVEY DEPARTMENT

APPROVED AS TO FORM THIS _____ DAY OF _____, 20____

BY THE TOOELE COUNTY SURVEY DEPARTMENT.
 RECORD OF SURVEY FILE # 2006-0027-01

TOOELE COUNTY SURVEY DIRECTOR

CITY COUNCIL

APPROVED AS TO FORM THIS _____ DAY OF _____, 20____

BY THE TOOELE CITY COUNCIL _____

CHAIRMAN TOOELE CITY COUNCIL

COUNTY TREASURER APPROVAL

APPROVED AS TO FORM THIS _____ DAY OF _____, 20____

BY THE TOOELE COUNTY TREASURER _____

TOOELE COUNTY TREASURER

PLANNING COMMISSION

APPROVED AS TO FORM THIS _____ DAY OF _____, 20____

BY THE TOOELE CITY PLANNING COMMISSION _____

CHAIRMAN TOOELE CITY PLANNING COMMISSION

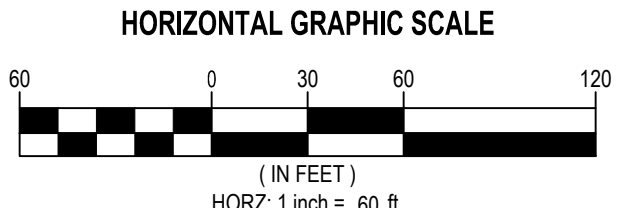
DEVELOPER
 WENDEL BURT
 737 N. 400 W.
 NORHT SALT LAKE, UT 84054
 801-335-0314

COUNTY HEALTH DEPARTMENT

APPROVED AS TO FORM THIS _____ DAY OF _____, 20____

BY THE TOOELE COUNTY HEALTH DEPARTMENT _____

TOOELE COUNTY HEALTH DEPARTMENT



811
Know what's below.
Call before you dig.

CALL BLUESTAKES
@ 811 AT LEAST 48 HOURS
PRIOR TO THE
COMMENCEMENT OF ANY
CONSTRUCTION.

BENCHMARK

CENTER OF SECTION 10,
TOWNSHIP 3 SOUTH, RANGE 4 WEST
SALT LAKE BASE AND MERIDIAN

ELEV = 4717.97'

- SCOPE OF WORK:**
PROVIDE, INSTALL AND/OR CONSTRUCT THE FOLLOWING PER THE SPECIFICATIONS GIVEN OR REFERENCED, THE DETAILS NOTED, AND/OR AS SHOWN ON THE CONSTRUCTION DRAWINGS:
- ① 6" THICK CONCRETE SIDEWALK PER TOOELE CITY STANDARD PLAN NO. 231R.
 - ② HANDICAP ACCESS RAMP PER APWA STANDARD PLAN NO. 235 WITH DETECTABLE WARNING SURFACE PER TOOELE CITY STANDARD PLAN NO. 238R.
 - ③ 4" SDR-35 PVC SANITARY SEWER LATERAL, INCLUDING CLEANOUTS AT MAXIMUM 100-FOOT SPACING, PER GOVERNING AGENCY'S STANDARDS AND SPECIFICATIONS. LENGTH AND SLOPE PER PLAN.
 - ④ 4" WASHOUT VALVE PER TOOELE CITY STANDARD PLANS NO. 571R
 - ⑤ STUB 8" WATER LINE LATERAL
 - ⑥ NOTE THAT EACH LOT WILL BE REQUIRED TO RETAIN ON SITE.
 - ⑦ INSTALL STREET LIGHT PER TOOELE CITY STANDARDS. SEE DETAIL C-303

NOTE: TOOELE CITY STANDARDS AND SPECIFICATIONS
<https://tooelecly.org/city-departments/engineering/city-standards/>

- GENERAL NOTES**
1. ALL WORK TO COMPLY WITH THE GOVERNING AGENCY'S STANDARDS AND SPECIFICATIONS.
 2. ALL IMPROVEMENTS MUST COMPLY WITH ADA STANDARDS AND RECOMMENDATIONS.
 3. SEE LANDSCAPE/ARCHITECTURAL PLANS FOR CONCRETE MATERIAL, COLOR, FINISH, AND SCORE PATTERNS THROUGHOUT SITE.
 4. ALL PAVEMENT MARKINGS SHALL CONFORM TO THE LATEST EDITION OF THE M.U.T.C.D. (MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES).
 5. ALL SURFACE IMPROVEMENTS DISTURBED BY CONSTRUCTION SHALL BE RESTORED OR REPLACED, INCLUDING TREES AND DECORATIVE SHRUBS, SO, FENCES, WALLS AND STRUCTURES, WHETHER OR NOT THEY ARE SPECIFICALLY SHOWN ON THE CONTRACT DOCUMENTS.
 6. NOTIFY ENGINEER OF ANY DISCREPANCIES IN DESIGN OR STAKING BEFORE PLACING CONCRETE OR ASPHALT.
 7. THE CONTRACTOR IS TO PROTECT AND PRESERVE ALL EXISTING IMPROVEMENTS, UTILITIES, AND SIGNS, ETC. UNLESS OTHERWISE NOTED ON THESE PLANS.
 8. EXISTING UNDERGROUND UTILITIES AND IMPROVEMENTS ARE SHOWN IN THEIR APPROXIMATE LOCATIONS BASED UPON RECORD INFORMATION AVAILABLE AT THE TIME OF PREPARATION OF THESE PLANS. LOCATIONS MAY NOT HAVE BEEN VERIFIED IN THE FIELD AND NO GUARANTEE IS MADE AS TO THE ACCURACY OR COMPLETENESS OF THE INFORMATION SHOWN. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO DETERMINE THE EXISTENCE AND LOCATION OF THE UTILITIES SHOWN ON THESE PLANS OR INDICATED IN THE FIELD BY LOCATING SERVICES. ANY ADDITIONAL COSTS INCURRED AS A RESULT OF THE CONTRACTOR'S FAILURE TO VERIFY THE LOCATIONS OF EXISTING UTILITIES PRIOR TO THE BEGINNING OF CONSTRUCTION IN THEIR VICINITY SHALL BE BORNE BY THE CONTRACTOR AND ASSUMED INCLUDED IN THE CONTRACT. THE CONTRACTOR IS TO VERIFY ALL CONNECTION POINTS WITH THE EXISTING UTILITIES. THE CONTRACTOR IS RESPONSIBLE FOR ANY DAMAGE CAUSED TO THE EXISTING UTILITIES AND UTILITY STRUCTURES THAT ARE TO REMAIN. IF CONFLICTS WITH EXISTING UTILITIES OCCUR, THE CONTRACTOR SHALL NOTIFY THE ENGINEER PRIOR TO CONSTRUCTION TO DETERMINE IF ANY FIELD ADJUSTMENTS SHOULD BE MADE.
 9. ALL CONSTRUCTION SIGNAGE, BARRICADES, TRAFFIC CONTROL DEVICES, ETC. SHALL CONFORM TO THE LATEST EDITION OF THE M.U.T.C.D. THE CONTRACTOR WILL MAINTAIN SUCH SO THAT THEY ARE PROPERLY PLACED AND VISIBLE AT ALL TIMES.
 10. 5. SIDEWALKS AND CURBS DESIGNATED TO BE DEMOLISHED SHALL BE DEMOLISHED TO THE NEAREST EXPANSION JOINT, MATCHING THESE PLANS AS CLOSELY AS POSSIBLE.
 11. ALL WORK SHALL COMPLY WITH THE RECOMMENDATIONS OF THE GEOTECHNICAL ENGINEER POSSIBLY INCLUDING, BUT NOT LIMITED TO, REMOVAL OF UNCONSOLIDATED FILL, ORGANICS, AND DEBRIS, PLACEMENT OF SUBSURFACE DRAIN LINES AND GEOTEXTILE, AND OVEREXCAVATION OF UNSUITABLE BEARING MATERIALS AND PLACEMENT OF ACCEPTABLE FILL MATERIAL.
 12. THE CONTRACTOR SHALL BECOME FAMILIAR WITH THE EXISTING SOIL CONDITIONS.
 13. ALL STORM DRAIN INFRASTRUCTURE TO BE INSTALLED PER GOVERNING AGENCY OR APWA STANDARD PLANS AND SPECIFICATIONS.
 14. ENSURE MINIMUM COVER OVER ALL STORM DRAIN PIPES PER MANUFACTURER'S RECOMMENDATIONS. NOTIFY ENGINEER IF MINIMUM COVER CANNOT BE ATTAINED.
 15. THE CONTRACTOR SHALL ADJUST TO GRADE ALL EXISTING UTILITIES AS NEEDED PER LOCAL GOVERNING AGENCY'S STANDARDS AND SPECIFICATIONS.
 16. ALL SANITARY SEWER INFRASTRUCTURE TO BE INSTALLED PER GOVERNING AGENCY STANDARD PLANS AND SPECIFICATIONS.
 17. ALL WATER INFRASTRUCTURE TO BE INSTALLED PER GOVERNING AGENCY OR APWA STANDARD PLANS AND SPECIFICATIONS.
 18. DEFLECT OR LOOP ALL WATERLINES TO AVOID CONFLICTS WITH OTHER UTILITIES PER GOVERNING AGENCY'S STANDARDS AND SPECIFICATIONS.
 19. PROJECT SHALL COMPLY WITH ALL UTAH DIVISION OF DRINKING WATER RULES AND REGULATIONS INCLUDING, BUT NOT LIMITED TO, THOSE PERTAINING TO BACKFLOW PROTECTION AND CROSS CONNECTION PREVENTION.
 20. THE CONTRACTOR IS TO COORDINATE ALL UTILITIES WITH MECHANICAL/PLUMBING PLANS.

ENSIGN
THE STANDARD IN ENGINEERING

TOOELE
169 N. Main Street, Unit 1
Tooele, UT, 84074
Phone: 435.843.3590

SALT LAKE CITY
Phone: 801.255.0529

LAYTON
Phone: 801.547.1100

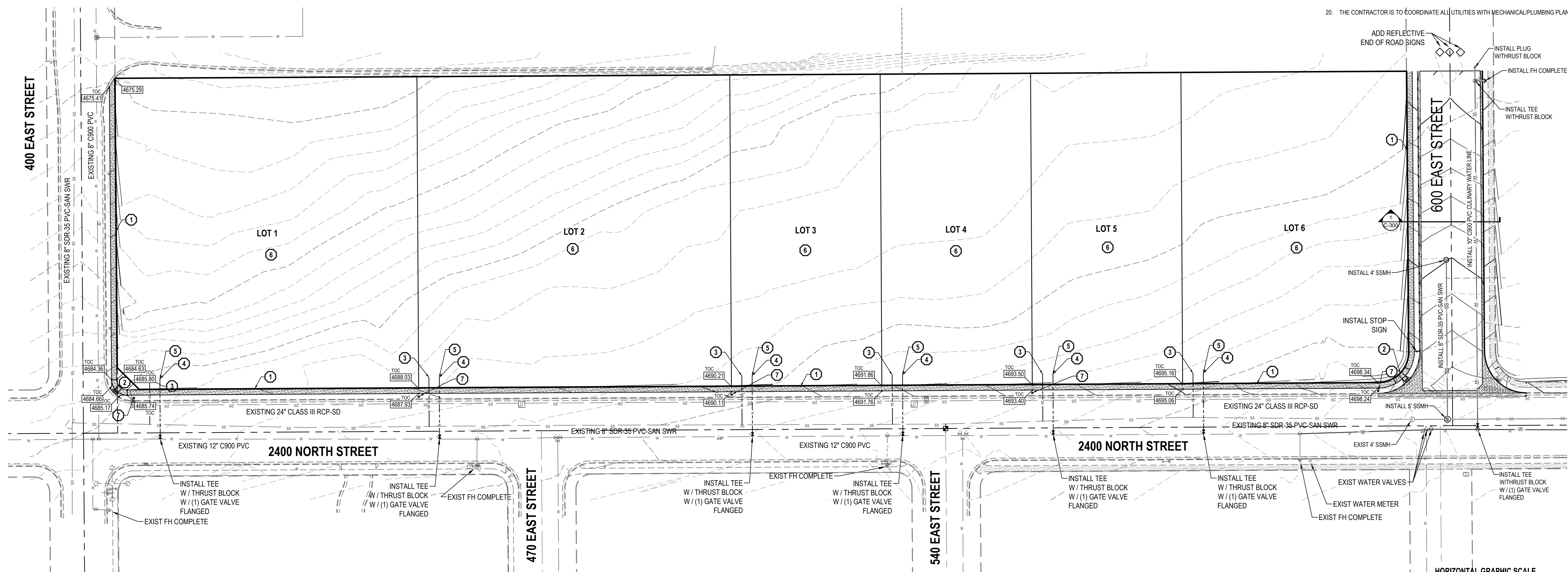
CEDAR CITY
Phone: 435.865.1453

RICHFIELD
Phone: 435.896.2983

WWW.ENSIGNENG.COM

FOR:
W&R ENTERPRISES LLC
737 NORTH 400 WEST
NORTH SALT LAKE CITY, UTAH 84054

CONTACT:
WENDEL BURT
PHONE: 801-335-0314



W&R SUBDIVISION

400 EAST 2400 NORTH
TOOELE, UTAH

CFEYI JK
05/12/2022 9:55:41 AM

SITE / GRADING / UTILITY PLAN

PROJECT NUMBER: T12001
PRINT DATE: 2022-02-15
DRAWN BY: J.CID
CHECKED BY:
PROJECT MANAGER: D. KINSMAN

C-100

STAFF REPORT

August 18, 2022

To: Tooele City Planning Commission
Business Date: August 24, 2022

From: Planning Division
Community Development Department

Prepared By: Andrew Aagard, City Planner / Zoning Administrator

Re: Lexington Greens Lot 107 – Preliminary Subdivision Plan Request

Application No.: P22-662
Applicant: Adam Sapers, representing Lex Townhomes, LLC
Project Location: Approximately 680 West 1200 North
Zoning: MR-16 Multi-Family Residential Zone
Acreage: 1.27 Acres (Approximately 55,231 ft²)
Request: Request for approval of a Preliminary Subdivision Plan in the MR-16 Multi-Family Residential zone regarding the creation of 18 town house lots.

BACKGROUND

This application is a request for approval of a Preliminary Subdivision Plan for approximately 1.27 acres located at the north east corner of 680 West 1200 North. The property is currently zoned MR-16 Multi-Family Residential. The applicant is requesting that a Preliminary Subdivision Plan be approved to allow for the development of the currently vacant site as town homes. The preliminary subdivision plan proposes the creation of the privately owned town home lots, the limited common areas and associated common areas.

ANALYSIS

General Plan and Zoning. The Land Use Map of the General Plan calls for the High Density Residential land use designation for the subject property. The property has been assigned the MR-16 Multi-Family Residential zoning classification, supporting approximately sixteen dwelling units per acre. The MR-16 Multi-Family Residential zoning designation is identified by the General Plan as a preferred zoning classification for the High Density Residential land use designation. All surrounding properties are zoned MR-16 Multi-Family Residential and are or will be utilized as such. Mapping pertinent to the subject request can be found in Exhibit “A” to this report.

Subdivision Layout. The Planning Commission has already approved the site plan for this project. This is the preliminary subdivision plan that will result in the creation of the lots for the town homes, the limited common areas used by the residents of the town homes and the common areas. There are proposed to be 17 lots and each lot is 26 feet wide and includes an area 717 square feet. These lots will be the exact footprints of the individual town homes constructed above. There are no lot size minimum restrictions in the MR-16 zoning district in order to facilitate private ownership of each town house without using a condominium plat. Each lot will access Carole’s Way (1200 North). Carole’s way is already a dedicated public right-of-way and the plat does not include the dedication of any additional right-of-way.

The plat includes hatching that delineates limited common areas. On this plan those limited common areas are the individual town home driveways. These areas will be owned by the development but will be

limited in use to the adjacent town home.

Common areas are shown on the plan as white, however, there is the guest parking area at the center of the project that includes the same hatch pattern as the limited common areas. Even though the hatch pattern exists, the parking lot is labeled as “common area F.” Common areas include the landscaped open space, guest parking areas, storm water detention basin and so forth.

Site Plan. The previously approved site plan has been included in the packet for the Commission’s reference and for comparison to the preliminary subdivision plan. The site plan has already been approved and is not being considered with this application.

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

REVIEWS

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

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

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

STAFF RECOMMENDATION

Staff recommends approval of the request for a Preliminary Subdivision Plan by Adam Sapers, representing Lex Townhomes, LLC, application number P22-662, 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.

MODEL MOTIONS

Sample Motion for a Positive Recommendation – “I move we forward a positive recommendation to the City Council for the Lexington Greens Lot 107 Preliminary Subdivision Plan request by Adam Sapers, representing Lex Townhomes, LLC for the purpose of creating 18 town house lots, application number P22-662, based on the findings and subject to the conditions listed in the Staff Report dated August 18, 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 Lexington Greens Lot 107 Preliminary Subdivision Plan Request by Adam Sapers, representing Lex Townhomes, LLC for the purpose of creating 18 town house lots, application number P22-662, based on the following findings:”

1. List findings...

EXHIBIT A

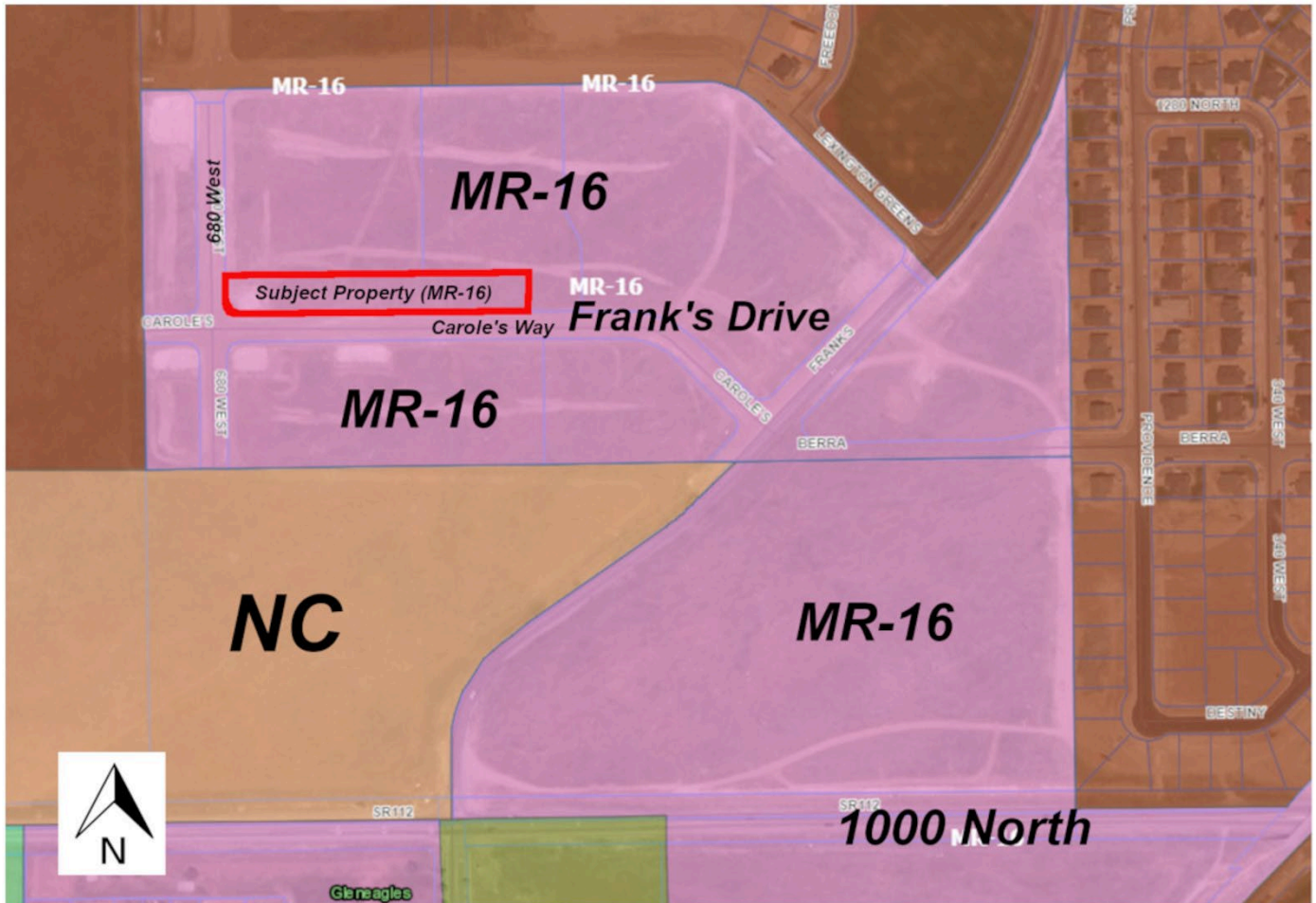
**MAPPING PERTINENT TO THE LEXINGTON GREENS LOT 107 PRELIMINARY
SUBDIVISION PLAN**

Lexington Greens Lot 107 Preliminary Subdivision Plan



Aerial View

Lexington Greens Lot 107 Preliminary Subdivision Plan



Current Zoning

EXHIBIT B

**PROPOSED DEVELOPMENT PLANS &
APPLICANT SUBMITTED INFORMATION**

• Applicant notified regarding Sewer/Water Modeling fees

22-1062

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.

Project Information				
Date of Submission:	Submittal #: <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4	Zone:	Acres:	Parcel #(s):
Project Name: Lot 107 at Lexington Greens				
Project Address:				
Project Description: Development of 18 townhomes			Phases:	Lots: 107
Property Owner(s): Lex townhomes LLC		Applicant(s): Same as owner		
Address: 8371 S State St #202		Address:		
City: Sandy	State: VT	Zip: 84101	City:	State: Zip:
Phone: 857-234-6875	Email: adam@zenithplanning.com		Phone:	Email:
Contact Person: Adam Sapers		Address:		
Phone: 857-234-6875		City:	State:	Zip:
Cellular:	Fax:	Email:		
Engineer & Company: Ensign Engineering		Surveyor & Company: Same		
Address: 169 N Main St		Address:		
City: Tooele	State: VT	Zip: 84074	City:	State: Zip:
Phone: 435-843-3540	Email:		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	

811
Know what's below.
Call before you dig.

CALL BLUESTAKES
@ 811 AT LEAST 48 HOURS
PRIOR TO THE
COMMENCEMENT OF ANY
CONSTRUCTION.

BENCHMARK
EAST QUARTER CORNER OF SECTION 17,
TOWNSHIP 3 SOUTH, RANGE 4 WEST,
SALT LAKE BASE AND MERIDIAN
ELEV = 4735.78'

LINE TABLE

LINE	BEARING	LENGTH
L1	N89°59'17"E	6.75'
L2	N89°59'17"E	6.75'
L3	N89°59'17"E	6.75'
L4	N89°59'17"E	6.75'
L5	N89°59'17"E	6.75'
L6	N89°59'17"E	6.75'
L7	N89°59'17"E	6.75'
L8	N89°59'17"E	6.75'
L9	N89°59'17"E	6.75'
L10	N89°59'17"E	6.75'
L11	N89°59'17"E	6.75'
L12	N89°59'17"E	6.75'
L13	N89°59'17"E	6.75'
L14	N89°59'17"E	6.75'
L15	N89°59'17"E	6.75'
L16	N89°59'17"E	6.75'
L17	S89°59'17"W	5.98'

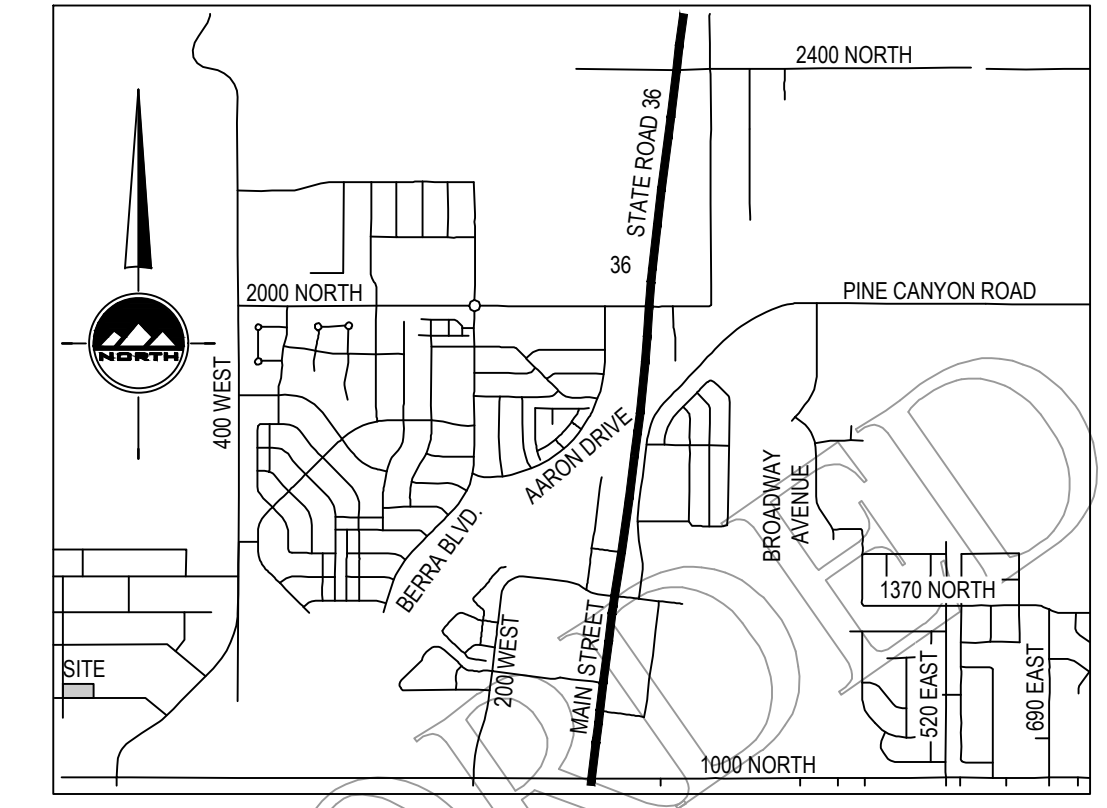
CURVE TABLE

CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
C2	5.00'	7.85'	90°00'00"	S44°59'17"W	7.07'
C3	5.00'	7.85'	90°00'00"	S45°00'43"E	7.07'
PC1	29.50'	46.22'	89°45'57"	S45°07'44"E	41.63'

SUBDIVISION ADDRESS

LOT #	ADDRESS
1	680 WEST
2	680 WEST
3	680 WEST
4	680 WEST
5	680 WEST
6	680 WEST
7	680 WEST
8	680 WEST
9	680 WEST
10	680 WEST
11	680 WEST
12	680 WEST
13	680 WEST
14	680 WEST
15	680 WEST
16	680 WEST
17	680 WEST
18	680 WEST

**PRELIMINARY PLAT
LOT 107 TOWNHOMES OF LEXINGTON
AT OVERLAKE SUBDIVISION**
(AMENDING LOT 107 OF THE LEXINGTON AT OVERLAKE SUBDIVISION)
LOCATED IN THE SOUTHEAST CORNER OF SECTION 17, TOWNSHIP 3 SOUTH, RANGE 4 WEST,
SALT LAKE BASE AND MERIDIAN, TOOELE CITY, TOOELE COUNTY, UTAH

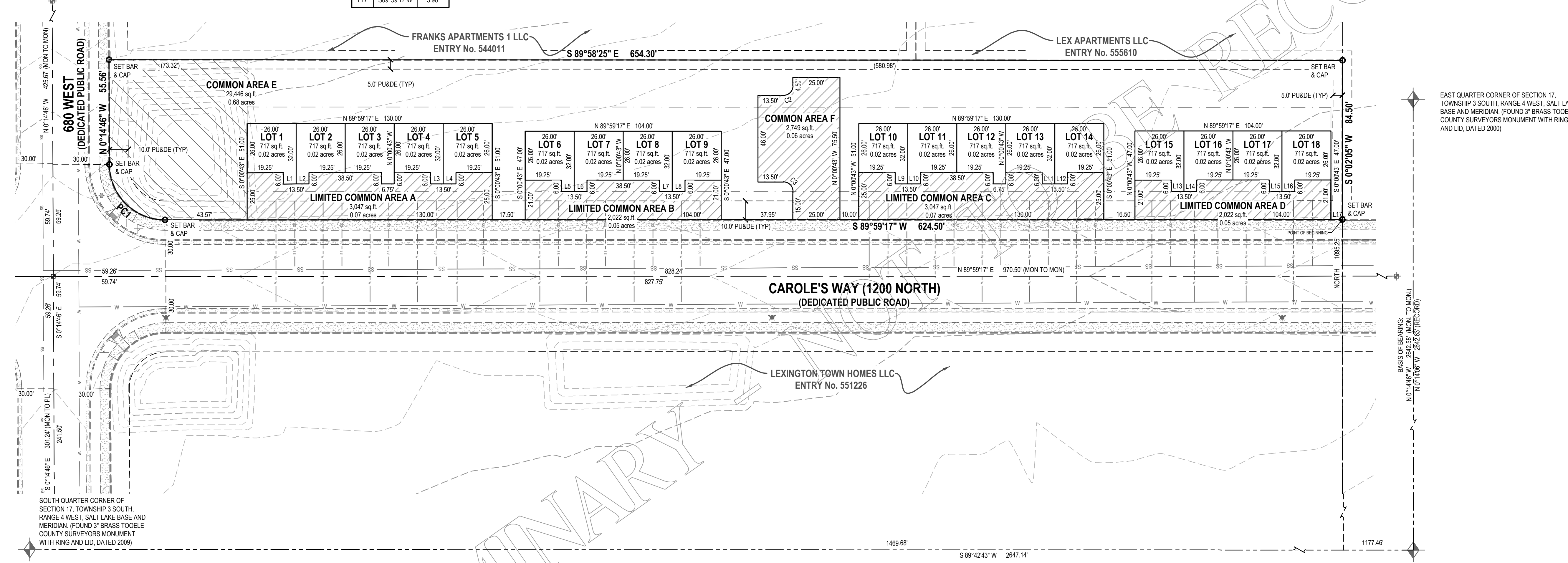
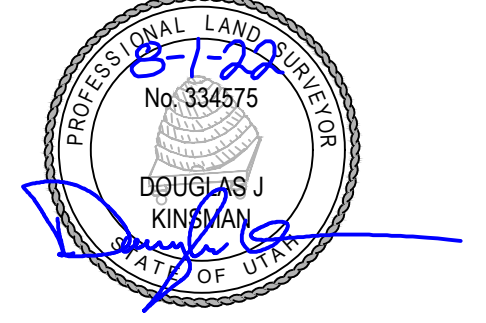


SURVEYOR'S CERTIFICATE
I, Douglas J Kinsman, do hereby certify that I am a Professional Land Surveyor, and that I hold certificate No. 334575, in accordance with Title 58, Chapter 22, of the Professional Engineers and Land Surveyors Act. I further certify that by authority of the owners I have completed a survey of the property described on this subdivision plat in accordance with Section 17-23-17, have verified all measurements and have subdivided said tract of land into units, parcels, and a private street, together with easements, hereafter to be known as Lot 107 Townhomes of Lexington at Overlake Subdivision, and that the same has been correctly surveyed and monumented on the ground as shown on this plat. I further certify that all lots meet frontage width and area requirements of the applicable zoning ordinances.

BOUNDARY DESCRIPTION
A parcel of land, situate in the Southeast Quarter of Section 17, Township 3 South, Range 4 West, Salt Lake Base and Meridian, and in Tooele City, Tooele County, Utah, more particularly described as follows:
All of Lot 107 of "Lexington at Overlake Subdivision" as recorded in the Tooele County Recorder's office per entry number 520126, more particularly described as follows:
Beginning at a point on the North line of Carole's Way (1200 North), which is located South 89°42'43" West 1177.46 feet along the section line and North 1095.25 feet from the Southeast Corner of section 17, Township 3 South, Range 4 West, Salt Lake Base and Meridian, and running:
thence South 89°59'17" West 624.50 feet, along said North line of Carole's Way to a point of curvature
thence Northwesterly 46.22 feet along the arc of a 29.50 foot radius tangent curve to the right (center bears North 0°00'43" West, and the long chord bears North 45°07'44" West 41.63 feet through a central angle of 89°45'57", to the East line of 680 West;
thence North 0°14'46" West 55.56 feet, along said East line,
thence South 89°58'25" East 654.30 feet,
thence South 0°02'05" West 84.50 feet to North line of said Carole's Way also being the Point of Beginning.

Parcel Contains 55,231 square feet or 1.27 acres, 18 units, 6 parcels.

Aug 1, 2022
Date
Douglas J Kinsman
License no. 334575



NOTES

- NO DRIVEWAYS SHALL BE CONSTRUCTED SO AS TO SLOPE TOWARD ANY STRUCTURES.
- UTILITIES SHALL HAVE THE RIGHT TO INSTALL, MAINTAIN, AND OPERATE THEIR EQUIPMENT ABOVE AND BELOW GROUND AND ALL OTHER RELATED FACILITIES WITHIN THE PUBLIC UTILITY EASEMENTS, LIMITED COMMON AREAS AND COMMON AREAS IDENTIFIED ON THIS PLAT MAP AS MAY BE NECESSARY OR DESIRABLE IN PROVIDING UTILITY SERVICES WITHIN AND WITHOUT THE LOTS IDENTIFIED HEREIN, INCLUDING THE RIGHT OF ACCESS TO SUCH FACILITIES AND THE RIGHT TO REQUIRE REMOVAL OF ANY OBSTRUCTIONS INCLUDING STRUCTURES, TREES AND VEGETATION THAT MAY BE PLACED WITHIN THE P.U.E. THE UTILITY MAY REQUIRE THE LOT OWNER TO REMOVE ALL STRUCTURES WITHIN THE P.U.E. AT THE LOT OWNER'S EXPENSE, OR THE UTILITY MAY REMOVE SUCH STRUCTURES AT THE LOT OWNER'S EXPENSE. AT NO TIME MAY ANY PERMANENT STRUCTURES BE PLACED WITHIN THE P.U.E. OR ANY OTHER OBSTRUCTION WHICH INTERFERES WITH THE USE OF THE P.U.E. WITHOUT THE PRIOR WRITTEN APPROVAL OF THE UTILITIES WITH FACILITIES IN THE P.U.E.
- SET 1/2" X 24" REBAR WITH YELLOW PLASTIC CAP, OR NAIL STAMPED "ENGIN END, & LAND SURV." AT ALL PROPERTY CORNERS.
- ALL LIMITED COMMON AND COMMON AREAS ARE OWNED AND MAINTAINED BY THE LEXINGTON GREENS HOME OWNERS ASSOCIATION, INC.

ROCKY MOUNTAIN POWER COMPANY

1. PURSUANT TO UTAH CODE ANN. § 54-3-2 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-803(4)(C)(iii) 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:
A RECORDED EASEMENT OR RIGHT-OF-WAY
(1) THE LAW APPLICABLE TO PRESCRIPTIVE RIGHTS
(2) TITLE 54, CHAPTER 8A, DAMAGE TO UNDERGROUND UTILITY FACILITIES OR
(3) ANY OTHER PROVISION OF LAW.

APPROVED THIS _____ DAY OF _____, 20____
BY _____
ROCKY MOUNTAIN POWER
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 A GUARANTEE OF PARTICULAR TERMS OF NATURAL GAS SERVICE. FOR FURTHER INFORMATION PLEASE CONTACT DOMINION ENERGY'S RIGHT-OF-WAY DEPARTMENT AT 1-800-966-6532.

APPROVED THIS _____ DAY OF _____, 20____
BY _____
DOMINION ENERGY
TITLE _____

LEGEND

	EXISTING STREET MONUMENT		ADJACENT PROPERTY LINE
	PROPOSED STREET MONUMENT TO BE SET		SECTION LINE
	SECTION CORNER		CENTER LINE
	ENSIGN ENG. LAND SURV.		EASEMENT LINE
	P.U.E.		RIGHT OF WAY LINE
	BOUNDARY LINE		ADJACENT RIGHT OF WAY LINE
			TANGENT LINE
			LIMITED COMMON AREA
			LEXINGTON GREENS HOME OWNERS ASSOCIATION INC. STORM WATER RETENTION EASEMENT

DEVELOPER
LEX TOWNHOMES, LLC
8371 SOUTH STATE STREET, #202
SANDY, UTAH 84070
801-428-3755

LEXINGTON GREENS HOME OWNERS ASSOCIATION INC.

APPROVED THIS _____ DAY OF _____, 20____
BY THE LEXINGTON GREENS HOME OWNERS ASSOCIATION INC.

LEXINGTON GREENS HOME OWNERS ASSOCIATION INC.

HEALTH DEPARTMENT

APPROVED THIS _____ DAY OF _____, 20____
BY THE TOOELE COUNTY HEALTH DEPARTMENT.

TOOELE COUNTY HEALTH DEPARTMENT

SCHOOL DISTRICT

APPROVED THIS _____ DAY OF _____, 20____
BY THE TOOELE COUNTY SCHOOL DISTRICT

TOOELE COUNTY SCHOOL DISTRICT

POST MASTER

APPROVED THIS _____ DAY OF _____, 20____
BY THE POST MASTER

POST MASTER

COMCAST

APPROVED THIS _____ DAY OF _____, 20____
BY THE COMCAST CABLE

COMCAST

CENTURY LINK

APPROVED THIS _____ DAY OF _____, 20____
BY THE CENTURY LINK

CENTURY LINK

CHIEF OF POLICE

APPROVED THIS _____ DAY OF _____, 20____
BY THE TOOELE CITY CHIEF OF POLICE.

TOOELE CITY CHIEF OF POLICE

FIRE CHIEF

APPROVED THIS _____ DAY OF _____, 20____
BY THE TOOELE CITY FIRE DEPARTMENT.

TOOELE CITY FIRE CHIEF

PARKS DEPARTMENT

APPROVED THIS _____ DAY OF _____, 20____
BY THE TOOELE CITY PARKS DEPARTMENT.

TOOELE CITY PARKS DEPARTMENT

CITY ATTORNEY

APPROVED AS TO FORM THIS _____ DAY OF _____, 20____

TOOELE CITY ATTORNEY

CITY ENGINEER

APPROVED AS TO FORM THIS _____ DAY OF _____, 20____

TOOELE CITY ENGINEER

COMMUNITY DEVELOPMENT

APPROVED AS TO FORM THIS _____ DAY OF _____, 20____

TOOELE CITY COMMUNITY DEVELOPMENT

COUNTY RECORDER

REVIEWED THIS _____ DAY OF _____, 20____
BY THE TOOELE COUNTY RECORDER AS TO DESCRIPTION OF RECORD.

TOOELE COUNTY RECORDER

CITY COUNCIL

APPROVED THIS _____ DAY OF _____, 20____
BY THE TOOELE CITY COUNCIL.

CHAIRMAN TOOELE CITY COUNCIL

PLANNING COMMISSION

APPROVED THIS _____ DAY OF _____, 20____
BY THE TOOELE CITY PLANNING COMMISSION.

ATTEST:

HORIZONTAL GRAPHIC SCALE

0 1 2 3 4 5 6 7 8 9 10 (IN FEET)
HORZ: 1 inch = ## ft.

**PRELIMINARY PLAT
LOT 107 TOWNHOMES OF LEXINGTON
AT OVERLAKE SUBDIVISION**
(AMENDING LOT 107 OF THE LEXINGTON AT OVERLAKE SUBDIVISION)
LOCATED IN THE SOUTHEAST CORNER OF SECTION 17, TOWNSHIP 3 SOUTH, RANGE 4 WEST,
SALT LAKE BASE AND MERIDIAN, TOOELE CITY, TOOELE COUNTY, UTAH

TOOELE
150 North Main Street Unit 1
Tooele, Utah 84074
Phone: 435.843.3590
Fax: 435.578.0108

SALT LAKE CITY
Phone: 801.251.0208

LAYTON
Phone: 801.541.1100

CEAR CITY
Phone: 435.865.1453

RICHFIELD
Phone: 435.966.2983

WWW.ENSIGNENG.COM

ENSIGN

SHEET 1 OF 1
PROJECT NUMBER : 82600
MANAGER : C. CHILD
DRAWN BY : H. CARTER
CHECKED BY : D. KINSMAN
DATE : 2022-08-01

811
Know what's below.
Call before you dig.

CALL BLUESTAKES
@ 811 AT LEAST 48 HOURS
PRIOR TO THE
COMMENCEMENT OF ANY
CONSTRUCTION.

BENCHMARK

EAST QUARTER CORNER OF SECTION 17,
TOWNSHIP 3 SOUTH, RANGE 4 WEST
SALT LAKE BASE AND MERIDIAN.
ELEV = 4735.78'

GENERAL NOTES

1. ALL WORK TO COMPLY WITH THE GOVERNING AGENCY'S STANDARDS AND SPECIFICATIONS.
2. ALL IMPROVEMENTS MUST COMPLY WITH ADA STANDARDS AND RECOMMENDATIONS.
3. SEE LANDSCAPE/ARCHITECTURAL PLANS FOR CONCRETE MATERIAL, COLOR, FINISH, AND SCORE PATTERNS THROUGHOUT SITE.
4. ALL PAVEMENT MARKINGS SHALL CONFORM TO THE LATEST EDITION OF THE M.U.T.C.D. (MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES).
5. ALL SURFACE IMPROVEMENTS DISTURBED BY CONSTRUCTION SHALL BE RESTORED OR REPLACED, INCLUDING TREES AND DECORATIVE SHRUBS, SOD, FENCES, WALLS AND STRUCTURES, WHETHER OR NOT THEY ARE SPECIFICALLY SHOWN ON THE CONTRACT DOCUMENTS.
6. NOTIFY ENGINEER OF ANY DISCREPANCIES IN DESIGN OR STAKING BEFORE PLACING CONCRETE OR ASPHALT.
7. THE CONTRACTOR IS TO PROTECT AND PRESERVE ALL EXISTING IMPROVEMENTS, UTILITIES, AND SIGNS, ETC. UNLESS OTHERWISE NOTED ON THESE PLANS.

SCOPE OF WORK:

PROVIDE, INSTALL AND/OR CONSTRUCT THE FOLLOWING PER THE SPECIFICATIONS GIVEN OR REFERENCED, THE DETAILS NOTED, AND/OR AS SHOWN ON THE CONSTRUCTION DRAWINGS:

1. ASPHALT PAVEMENT PER DETAIL 7/C-500.
2. 4" THICK CONCRETE SIDEWALK PER APWA STANDARD PLAN NO. 231.
3. 24" TYPE "E" CURB AND GUTTER PER TOOELE CITY STANDARD PLAN 205R.
4. DRIVEWAY APPROACH PER APWA STANDARD PLAN NO. 221.1.
5. 4" WIDE SOLID YELLOW PAVEMENT MARKING PER M.U.T.C.D. STANDARD PLANS, (TYP)
6. FENCE WITH CONCRETE MOW CURB, INSTALL PER MANUFACTURER STANDARDS AND SPECIFICATIONS. FENCE STYLE PER TOOELE CITY STANDARDS AND SPECIFICATIONS FENCING REQUIREMENTS. SEE DETAIL 9/C-500.
7. SAWCUT TBC AND INSTALL 3" WIDE 4" THICK CONCRETE SCUPPER FOR UNOBSTRUCTED FLOW OUT OF PARKING LOT INTO LANDSCAPED AREA OR INSTALL 6" RIP RAP EROSION PROTECTION, 12" THICK OVER WEED BARRIER.
8. EXISTING STORM DRAIN SYSTEM, CONTRACTOR TO FIELD VERIFY SIZE, SLOPE, AND DEPTH OF STORM DRAIN SYSTEM.
9. TRANSITION TO FULL HEIGHT CURB.
10. SITE LIGHTING PER TOOELE CITY RESIDENTIAL STANDARDS. SEE ARCHITECT PLANS FOR DESIGN DETAILS.



TOOELE
169 N. Main Street, Unit 1
Tooele, UT, 84074
Phone: 435.843.3590

SALT LAKE CITY
Phone: 801.255.0529

LAYTON
Phone: 801.547.1100

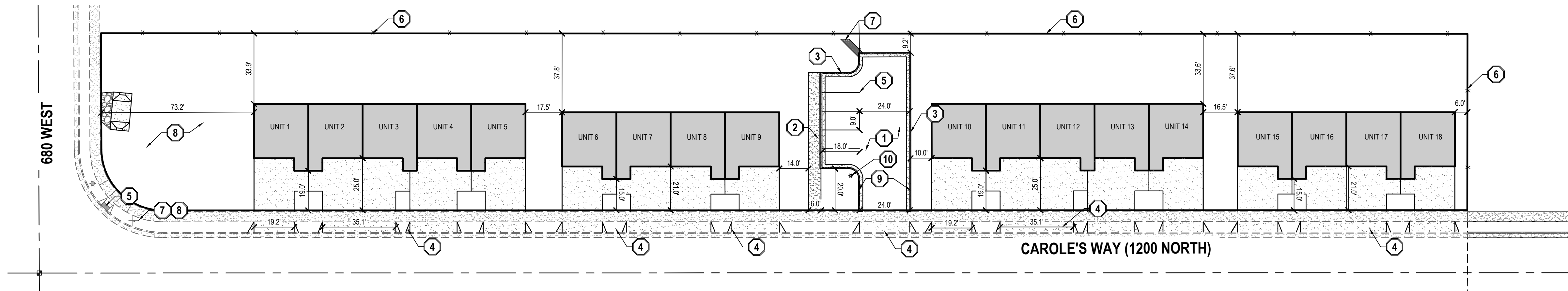
CEDAR CITY
Phone: 435.865.1453

RICHFIELD
Phone: 435.896.2983

WWW.ENSIGNENG.COM

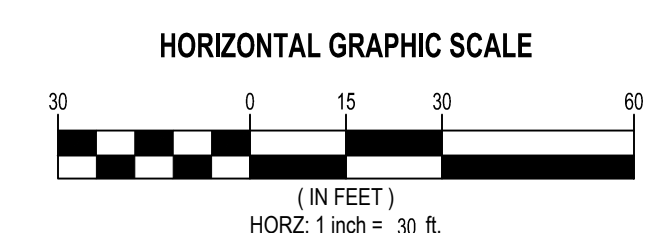
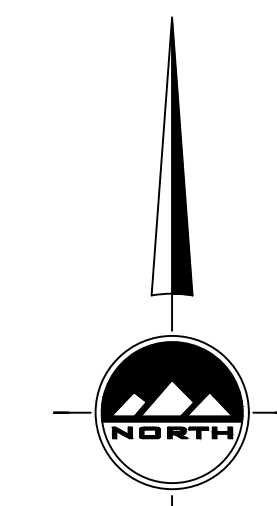
FOR:
LEX TOWNHOMES, LLC
8371 SOUTH STATE ST #202
SANDY, UTAH 84070

CONTACT:
CHARLES AKERLOW
PHONE: 801-428-3755



LOT 107 TOWNHOMES OF LEXINGTON
AT OVERLAKE SUBDIVISION
 641 WEST CAROLE'S WAY
 TOOELE, UTAH 84074

cf Fyj JYk
 05/19/2022 11:24:30 AM



SITE PLAN

PROJECT NUMBER: 82600
PRINT DATE: 2022-05-19
DRAWN BY: H. CARTER
CHECKED BY: C. CHILD
PROJECT MANAGER: C. CHILD

C-100

STAFF REPORT

August 18, 2022

To: Tooele City Planning Commission
Business Date: August 24, 2022

From: Planning Division
Community Development Department

Prepared By: Andrew Aagard, City Planner / Zoning Administrator

Re: The Lex Apartments Series Lot 102B – Site Plan Design Review Request

Application No.: P21-1191
Applicant: Ensign Engineering
Project Location: Approximately 1202 North Franks Drive
Zoning: MR-16 Multi-Family Residential Zone
Acreage: 10.66 Acres (Approximately 464,349 ft²)
Request: Request for approval of a Site Plan Design Review in the MR-16 Multi-Family Residential zone approving a new multi-family residential rental apartment development.

BACKGROUND

This application is a request for approval of a Site Plan Design Review for approximately 10.66 acres located at approximately 1202 North Franks Drive. The property is currently zoned MR-16 Multi-Family Residential. The applicant is requesting that a Site Plan Design Review be approved to allow for the development of the currently vacant property with two apartment buildings containing 30 units per building.

ANALYSIS

General Plan and Zoning. The Land Use Map of the General Plan calls for the High Density Residential land use designation for the subject property. The property has been assigned the MR-16 Multi-Family Residential zoning classification, supporting approximately 16 dwelling units per acre. The MR-16 Multi-Family Residential zoning designation is identified by the General Plan as a preferred zoning classification for the High Density Residential land use designation. Properties to the east, west and south are all zoned MR-16 Multi-Family Residential. Properties to the north are zoned R1-7 Residential. All properties are situated in the Lexington Greens master development plan. Mapping pertinent to the subject request can be found in Exhibit “A” to this report.

Site Plan Layout. Phase 102 B is, essentially, an extension of Phase 1 of the Lex Apartments located to the east. However, the project, in and of itself, will stand alone as it will have its own connections to Carole’s Way to the south and 1300 North to the north of the project. There are no points of cross connection proposed between the two projects.

The site will be developed with two 30-unit buildings located adjacent to the western boundary line with parking areas central to and east of the proposed buildings. The buildings as proposed meet or exceed ordinance requirements for setbacks from parking areas, property lines and adjacent public rights-of-way.

The site will also include some open space areas such as a storm water retention basin located at the north

east side of the project and a dog park located to the east side of the parking area.

Subdivision Layout. This is a rental development and, therefore, a subdivision plat is not being proposed and is not necessary as the lot was created with a previous subdivision application.

Landscaping. Tooele City ordinances require that 25% of the site of multi-family residential developments shall be landscaped open space. This site plan proposes 37% of the site as landscaped open space. The landscaping consists of 25,388 square feet of irrigated sod and 26,772 square feet of plant and shrub beds.

The landscape plan proposes the installation of 98 deciduous trees and 14 coniferous (evergreen) trees. Staff would prefer to see a greater ratio of coniferous evergreen trees versus the deciduous trees, however, the multi-family design standards do not require such a ratio. The landscaping plan also proposes the installation of 419 shrubs located largely around the building perimeters, adjacent to parking lots and screening for dumpster enclosures. Landscape ground covers, tree locations, tree numbers and shrub planting locations meet or exceed minimum requirements of the multi-family residential design guidelines as found in Tooele City Code 7-11a.

Parking. Multi-family residential developments are required by Tooele City Code 7-4 to provide 2 parking stalls per unit and one of those parking stalls must be covered parking. At 60 units the development is required to provide 120 parking stalls, 60 of those parking stalls being carport covered parking. The ordinance also requires 1 parking stall for every four units for guest parking thus resulting in an additional 15 parking stalls. Total parking requirement is 135 parking stalls. The development is providing 135 parking stalls and satisfies ordinance requirements for parking.

Amenities. A development proposing 60 multi-family residential units is required to provide at least two amenities. This development, although a stand alone apartment development, is part of the Lex Apartments and residents of this development will have access to the amenities provided in Phase 1. Those amenities are:

+

1. Swimming pool, pool house and adjacent pool patio.
2. Pickle Ball Courts.
3. Play ground / tot lot for kids.
4. Fenced dog park.
5. 1000 square foot outdoor covered social area.

Total number of amenities based upon the number of units in both phases is four. The application as proposed, sharing amenities with Phase 1, exceeds the required number of amenities by City ordinance.

Architecture. The buildings are proposed to be three story of varying 1 bedroom and 2 bedroom units. The buildings have been reviewed against the architectural design criteria as required in Tooele City Code 7-11a, particularly for horizontal and vertical relief. There is an abundance of balconies, pop outs, columns and so forth to provide the necessary relief. The building architecture as proposed satisfies the requirements of the ordinance.

Exterior materials consist primarily of masonry brick veneer of a “burnt umber” appearance. Elevations demonstrate that the front of the buildings will contain the required 60% brick, sides of the building facing public streets will contain 40% brick and the overall exterior façade will contain 51% brick thus meeting the exterior materials requirements of the Tooele City code.

Signage and Dumpsters. Monument signs are proposed for each entry into the development and will be

constructed of materials similar to the materials utilized on the buildings themselves. Dumpsters are placed at the end of rows of parking and will be constructed and painted in a manner that compliments or is similar to the buildings. Dumpsters will be screened by landscape shrubbery.

Fencing. Fencing is required along all project perimeters that are not part of the project or adjacent to a public street. When adjacent to other multi-family residential zones the fencing requirement is a minimally sight obscuring fence such as a wrought-iron or split rail fence with masonry piers of similar appearance to building masonry spaced at regular intervals. The plans do not provide any details as to what type of fencing will actually be installed, however, the plans do indicate that fencing that complies with ordinance requirements will be installed on the western and southwestern project boundaries.

Criteria For Approval. The criteria for review and potential approval of a Site Plan Design Review request is found in Sections 7-11-6, 8 and 9 of the Tooele City Code. This section depicts the standard of review for such requests as:

Site Plan or Site Plan Amendment 7-11-6, 8, and 9

Section 7-11-6. Approval. The Planning Commission, shall determine whether the proposed architectural and site development plans submitted are consistent with [Chapter 7-11 TCC] and with the general policies and objectives of [Title 7 TCC], and shall give or withhold approval accordingly. Before making this determination, the Planning Commission shall receive the written recommendations of the City Engineer, the Accessibility Committee, and the Fire Chief. Such recommendation may be by letter, memorandum, or signature on the plans.

Section 7-11-8. Considerations in review of applications. The Planning Commission and the Engineering Department 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.
- (2) Considerations relating to outdoor advertising:
 - (a) The number, location, color, size, height, lighting, and landscaping of outdoor advertising signs and structures in relation to the creation of traffic hazards and the appearance and harmony with neighboring development.
- (3) Considerations relating to landscaping:
 - (a) The location, height, and materials of walls, fences, hedges, and screen plantings to insure harmony with neighboring development, or to conceal storage areas, utility installations, or other unsightly development.
 - (b) The planting of ground cover or other surfacing to prevent dust and erosion.
 - (c) The unnecessary destruction of existing healthy trees.
- (4) Considerations relating to buildings and site layout:

- (a) Consideration of the general silhouette and mass, including location on the site, elevations, and relation to natural plant coverage, all in relationship to neighboring development.
- (b) Consideration of exterior design in relation to adjoining structures in height, bulk, and area openings, breaks in facade facing on streets, line and pitch of roofs, and the arrangement of structures on the parcel.
- (5) Considerations relating to drainage:
 - (a) The effect of the site development plan on the adequacy of the storm and surface water drainage, retention, and/or detention.

Section 7-11-9. Considerations. The Planning Commission, or the City Engineer, when authorized, shall decide all applications for design review. Design approval may include such conditions consistent with the considerations of [Chapter 7-11 TCC] as the Planning Commission or City Engineer deem reasonably necessary under the circumstances to carry out the intent of [Chapter 7-11 TCC].

REVIEWS

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

1. The site plan and building architecture as proposed meets or exceeds all of the basic requirements for multi-family residential development as required by Tooele City Code 7-11a, Multi-family Residential Design Guidelines.

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

Tooele City Fire Department Review. The Tooele City Fire Department has completed their reviews of the Site Plan Design Review submission and have issued a recommendation for approval for the request

STAFF RECOMMENDATION

Staff recommends approval of the request for a Site Plan Design Review by Ensign Engineering, application number P21-1191, 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. Thee site plan and building architecture as proposed meets or exceeds all of the basic requirements for multi-family residential development as required by Tooele City Code 7-11a, Multi-family Residential Design Guidelines.

MODEL MOTIONS

Sample Motion for Approval – “I move we approve the Site Plan Design Review Request by Ensign Engineering, representing the Lex Apartments, LLC, for the Lex Apartments Series Lot 102 B development proposed to be located at approximately 1202 North Franks Drive, application number P21-1191, based on the findings and subject to the conditions listed in the Staff Report dated August 18, 2022:”

1. List any additional findings and conditions...

Sample Motion for Denial – “I move we deny the Site Plan Design Review Request by Ensign Engineering, representing the Lex Apartments, LLC, for the Lex Apartments Series Lot 102 B development proposed to be located at approximately 1202 North Franks Drive, application number P21-1191, based on the following findings:”

1. List any findings...

EXHIBIT A

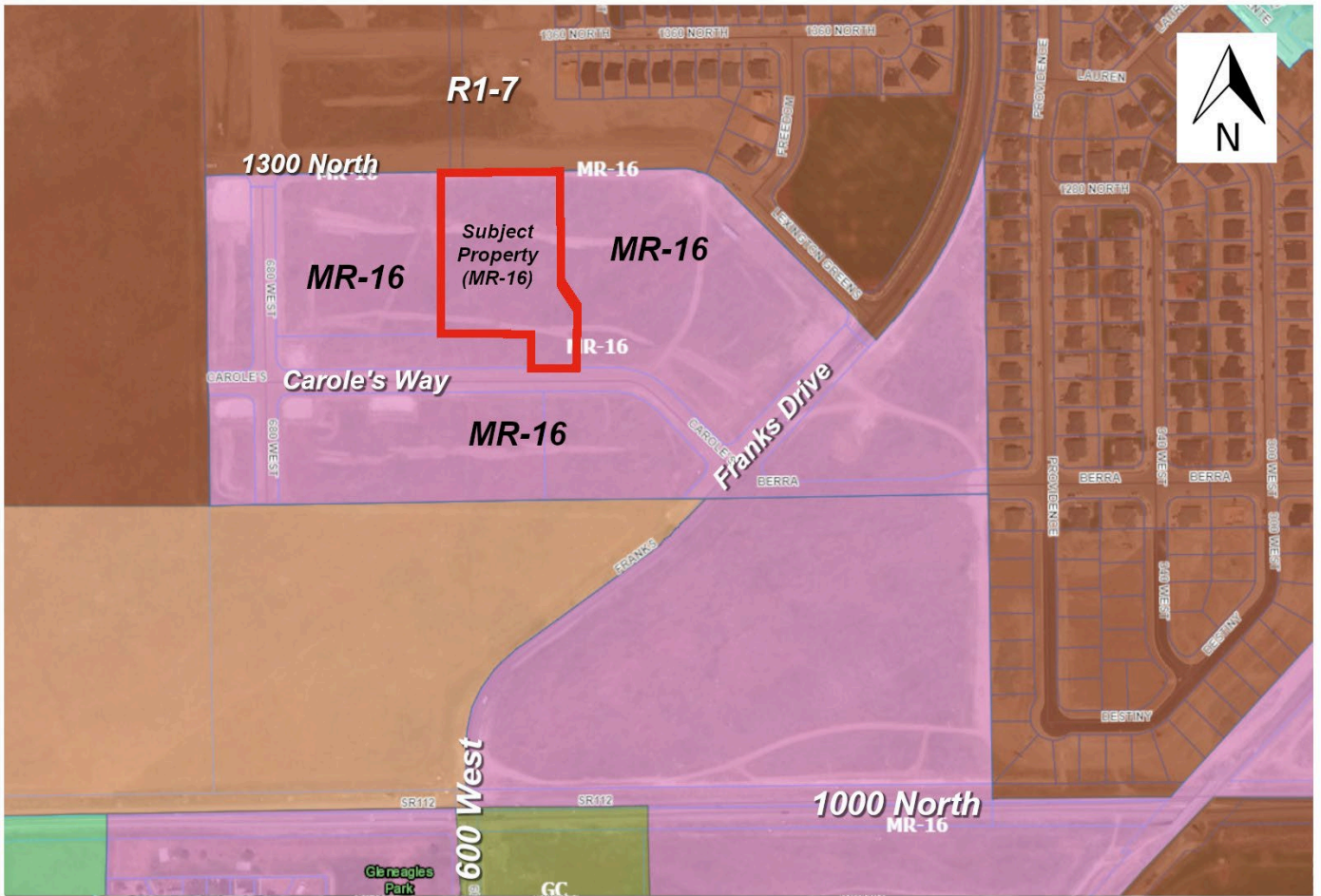
**MAPPING PERTINENT TO THE THE LEX APARTMENTS SERIES LOT 102B SITE
PLAN DESIGN REVIEW**

Lex Apartments Series 102 B Site Plan Design Review



Aerial View

Lex Apartments Series 102 B Site Plan Design Review



Current Zoning

EXHIBIT B

**PROPOSED DEVELOPMENT PLANS &
APPLICANT SUBMITTED INFORMATION**

Site 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 site plans to be reviewed by the City in accordance with the terms of the Tooele City Code. Once a set of site 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 site 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:	2021-11-03	Submittal #:	<input checked="" type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4	Zone:	MR-16	Acres:	10.66	Parcel #(s):	21-037-0-0102		
Project Name:	THE LEX APARTMENTS SERIES LOT 102B										
Project Address:	1202 NORTH FRANKS DRIVE, TOOELE CITY, UTAH 84074										
Project Description:	APARTMENT COMPLEX			Phases:	1	Lots:	1				
Property Owner(s):	THE LEX APARTMENTS LLC			Applicant(s):	ENSIGN ENGINEERING						
Address:	2040 MURRY HOLLADAY ROAD, SUITE 204			Address:	169 NORTH MAIN STREET, UNIT 1						
City:	SALT LAKE	State:	UT	Zip:	84117	City:	TOOELE	State:	UT	Zip:	84074
Phone:	801-428-3755	Email:	charles@zenithpartners.org			Phone:	435-843-3590	Email:	CChild@EnsignUtah.com		
Contact Person:	CHARLES AKERLOW			Address:	2040 MURRY HOLLADAY ROAD, SUITE 204						
Phone:	801-428-3755			City:	SALT LAKE	State:	UT	Zip:	84117		
Cellular:		Fax:		Email:	charles@zenithpartners.org						
Engineer & Company:	ENSIGN ENGINEERING			Surveyor & Company:	ENSIGN ENGINEERING						
Address:	169 NORTH MAIN STREET, UNIT 1			Address:	169 NORTH MAIN STREET, UNIT 1						
City:	TOOELE	State:	UT	Zip:	84074	City:	TOOELE	State:	UT	Zip:	84074
Phone:	435-843-3590	Email:	CChild@EnsignUtah.com			Phone:	435-843-3590	Email:	DKinsman@EnsignUtah.com		

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

Note:

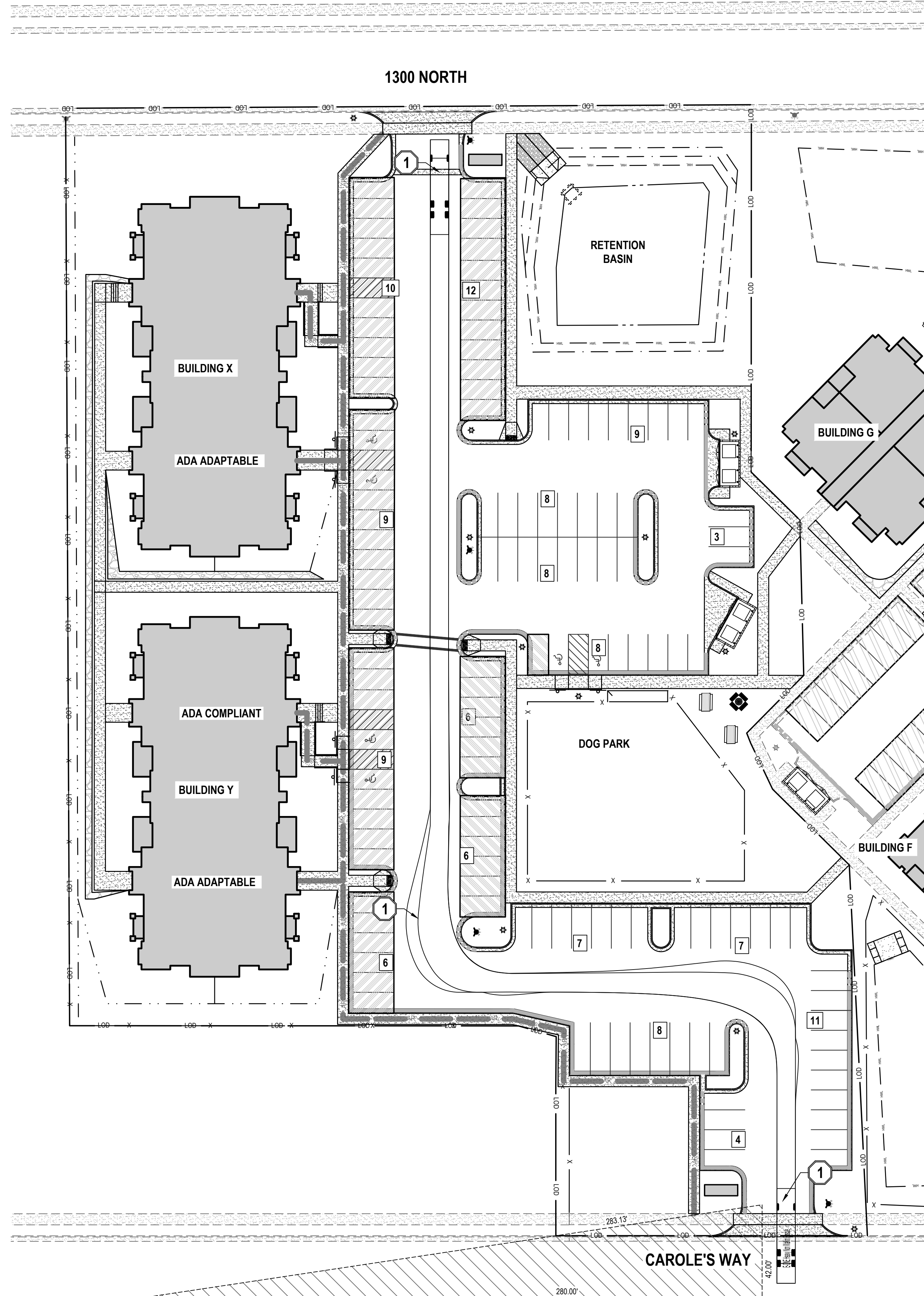
- A new application and checklist must accompany each submittal.
- Developer must submit plans in complete format to facilitate their review. Plans will be reviewed by the City staff, once they are found complete, they will be forwarded to Planning Commission for consideration. (as necessary)
- All fees must be paid at time of first submittal

For Office Use Only			
Received By:		Date Received:	
City Planner Review		City Engineer Review	Date
First Review Corrections Needed	<input type="checkbox"/> Yes <input type="checkbox"/> No	Date Plans & Comments Returned	
Second Review Corrections Needed	<input type="checkbox"/> Yes <input type="checkbox"/> No	Date Plans & Comments Returned	
Planning Commission Date	<input type="checkbox"/> Approved <input type="checkbox"/> Denied	Decision Date	

811
Know what's below.
Call before you dig.

CALL BLUESTAKES
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BENCHMARK
EAST QUARTER CORNER OF SECTION 17,
TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT
LAKE BASE AND MERIDIAN, (FOUND 3" BRASS
TOOELE COUNTY SURVEYORS MONUMENT
WITH RING AND LID, DATED 2009)
ELEV = 4735.78'



- GENERAL NOTES**
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 - EXISTING UNDERGROUND UTILITIES AND IMPROVEMENTS ARE SHOWN IN THEIR APPROXIMATE LOCATIONS BASED UPON RECORD INFORMATION AVAILABLE AT THE TIME OF PREPARATION OF THESE PLANS. LOCATIONS MAY NOT HAVE BEEN VERIFIED IN THE FIELD AND NO GUARANTEE IS MADE AS TO THE ACCURACY OR COMPLETENESS OF THE INFORMATION SHOWN. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO DETERMINE THE EXISTENCE AND LOCATION OF THE UTILITIES SHOWN ON THESE PLANS OR INDICATED IN THE FIELD BY LOCATING SERVICES. ANY ADDITIONAL COSTS INCURRED AS A RESULT OF THE CONTRACTOR'S FAILURE TO VERIFY THE LOCATIONS OF EXISTING UTILITIES PRIOR TO THE BEGINNING OF CONSTRUCTION IN THEIR VICINITY SHALL BE BORNE BY THE CONTRACTOR AND ASSUMED INCLUDED IN THE CONTRACT. THE CONTRACTOR IS TO VERIFY ALL CONNECTION POINTS WITH THE EXISTING UTILITIES. THE CONTRACTOR IS RESPONSIBLE FOR ANY DAMAGE CAUSED TO THE EXISTING UTILITIES AND UTILITY STRUCTURES THAT ARE TO REMAIN. IF CONFLICTS WITH EXISTING UTILITIES OCCUR, THE CONTRACTOR SHALL NOTIFY THE ENGINEER PRIOR TO CONSTRUCTION TO DETERMINE IF ANY FIELD ADJUSTMENTS SHOULD BE MADE.
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PARKING REQUIREMENTS
(2) 30 UNITS APARTMENTS = 60 UNITS

APARTMENT PARKING STALLS REQUIRED
60 COVERED UNITS*1 STALLS = 60 STALLS
60 UNCOVERED UNITS*1 STALLS = 60 STALLS
60 UNITS / 4 UNITS/1 STALL = 15 STALLS
TOTAL REQUIRED STALLS = 135 STALLS

REDUCTION TO REQUIRED PARKING - THE CITY ALLOWS A "BY-RIGHT" REDUCTION IN PARKING ACCORDING TO THE NATURAL REDUCTION RANGE (SEE CODE SECTION 7-4-5). THIS ALLOWS FOR A REDUCTION 5 SPACES. FIRST 100 STALLS AND THE GUEST PARKING COULD NOT BE REDUCED. THE REMAINING 60 REQUIRED STALLS REDUCED NO MORE THAN 8% RESULTING IN A REDUCTION OF 2 SPACES.

PARKING STALLS PROVIDED
STANDARD COVERED = 56 STALLS
(ADA COVERED) = 4 STALLS
STANDARD UNCOVERED = 56 STALLS
(ADA UNCOVERED) = 2 STALLS
VISITOR PARKING = 15 STALLS
TOTAL PROVIDED = 133 STALLS

SCOPE OF WORK:
PROVIDE, INSTALL AND/OR CONSTRUCT THE FOLLOWING PER THE SPECIFICATIONS GIVEN OR REFERENCED, THE DETAILS NOTED, AND/OR AS SHOWN ON THE CONSTRUCTION DRAWINGS:

① 43' LADDER FIRE TRUCK PATH

ENSIGN
THE STANDARD IN ENGINEERING

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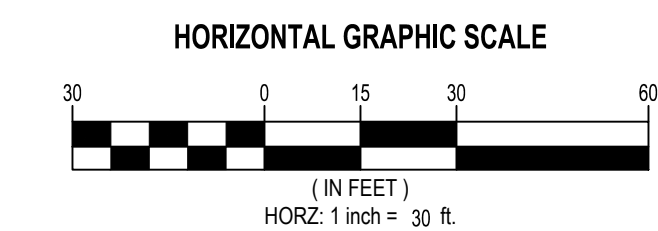
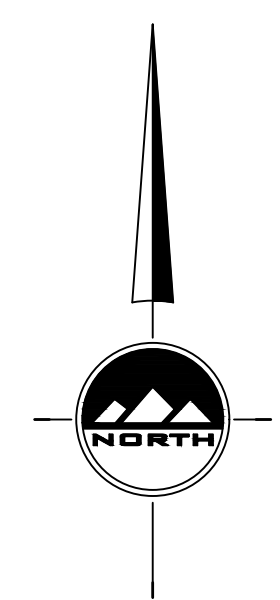
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FOR:
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2040 MURRAY HOLLADAY ROAD, SUITE 204
SALT LAKE CITY, UTAH 84117

CONTACT:
CHARLES AKERLOW
PHONE: 801-428-3755

THE LEX APARTMENTS
AT LOT 102B
1202 NORTH FRANKS DRIVE
TOOELE CITY, UTAH



OVERALL SITE PLAN

PROJECT NUMBER: 82601
PRINT DATE: 2022-07-18

DRAWN BY: C. CHILD
CHECKED BY: J. CLEGG

PROJECT MANAGER: C. CHILD

C-100

811
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Call before you dig.

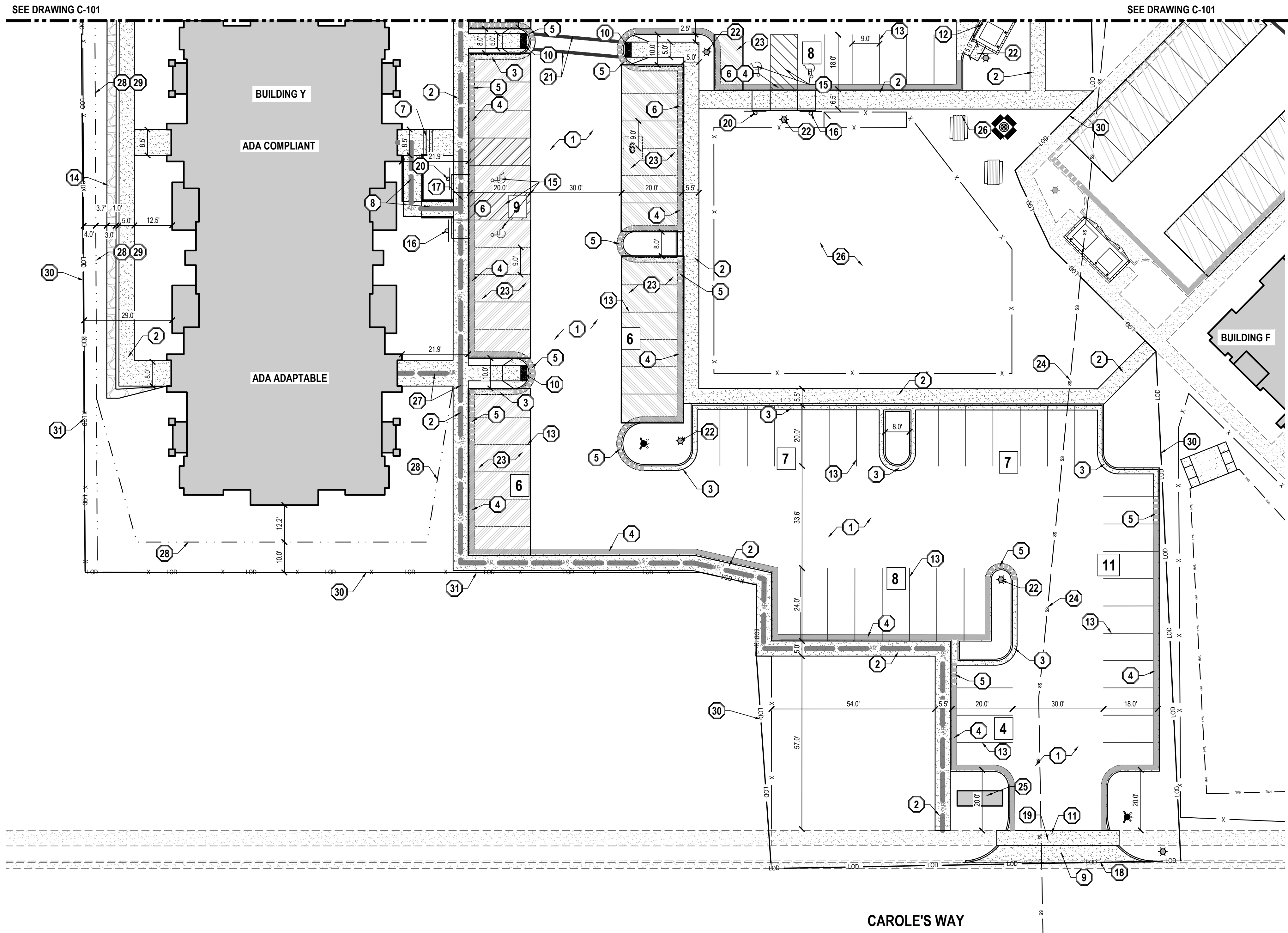
CALL BLUESTAKES
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BENCHMARK
EAST QUARTER CORNER OF SECTION 17,
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LAKE BASE AND MERIDIAN, (FOUND 3" BRASS
TOOELE COUNTY SURVEYORS MONUMENT
WITH RING AND LID, DATED 2009)
ELEV = 4735.78'



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- SCOPE OF WORK:**
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- ASPHALT PAVEMENT, 3" THICK ASPHALTIC CONCRETE WITH 6" UNTREATED BASE COURSE PER GEOTECHNICAL REPORT PER DETAIL 7/C-500.
 - 6" THICK CONCRETE SIDEWALK PER TOOELE CITY STANDARD PLAN NO. 231R AND SPECIFICATIONS.
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 - HANDICAP ACCESS RAMP PER APWA STANDARD PLAN NO. 236.1 WITH DETECTABLE WARNING SURFACE PER APWA STANDARD PLAN NO. 238 AND SPECIFICATIONS.
 - 6" THICK CONCRETE SIDEWALK THROUGH DRIVE APPROACH.
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 - 4" WIDE SOLID YELLOW PAVEMENT MARKING PER M.U.T.C.D. STANDARD PLANS. (TYP)
 - RETAINING WALL PER DETAIL 1/C-501. SEE GRADING PLAN FOR ELEVATION INFORMATION.
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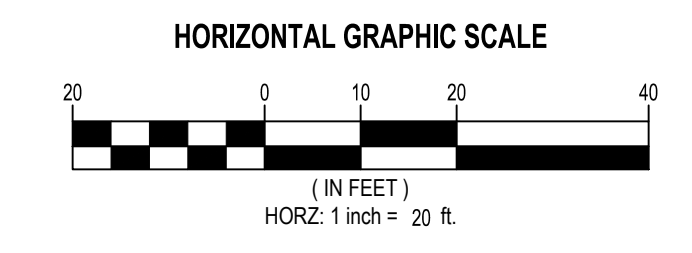
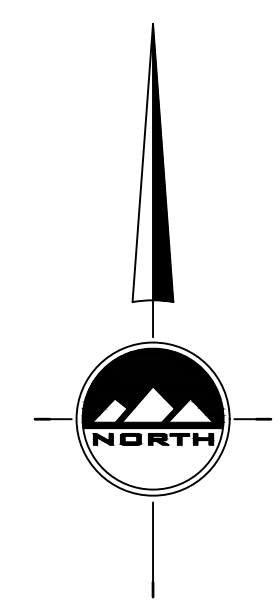
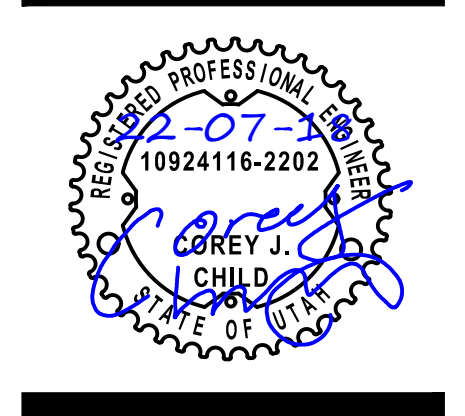
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FOR:
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2040 MURRAY HOLLADAY ROAD, SUITE 204
SALT LAKE CITY, UTAH 84117

CONTACT:
CHARLES AKERLOW
PHONE: 801-428-3755

**THE LEX APARTMENTS
AT LOT 102B**
1202 NORTH FRANKS DRIVE
TOOELE CITY, UTAH



SITE PLAN

PROJECT NUMBER: 82601
PRINT DATE: 2022-07-18

DRAWN BY: C. CHILD
CHECKED BY: J. CLEGG

PROJECT MANAGER: C. CHILD

C-102

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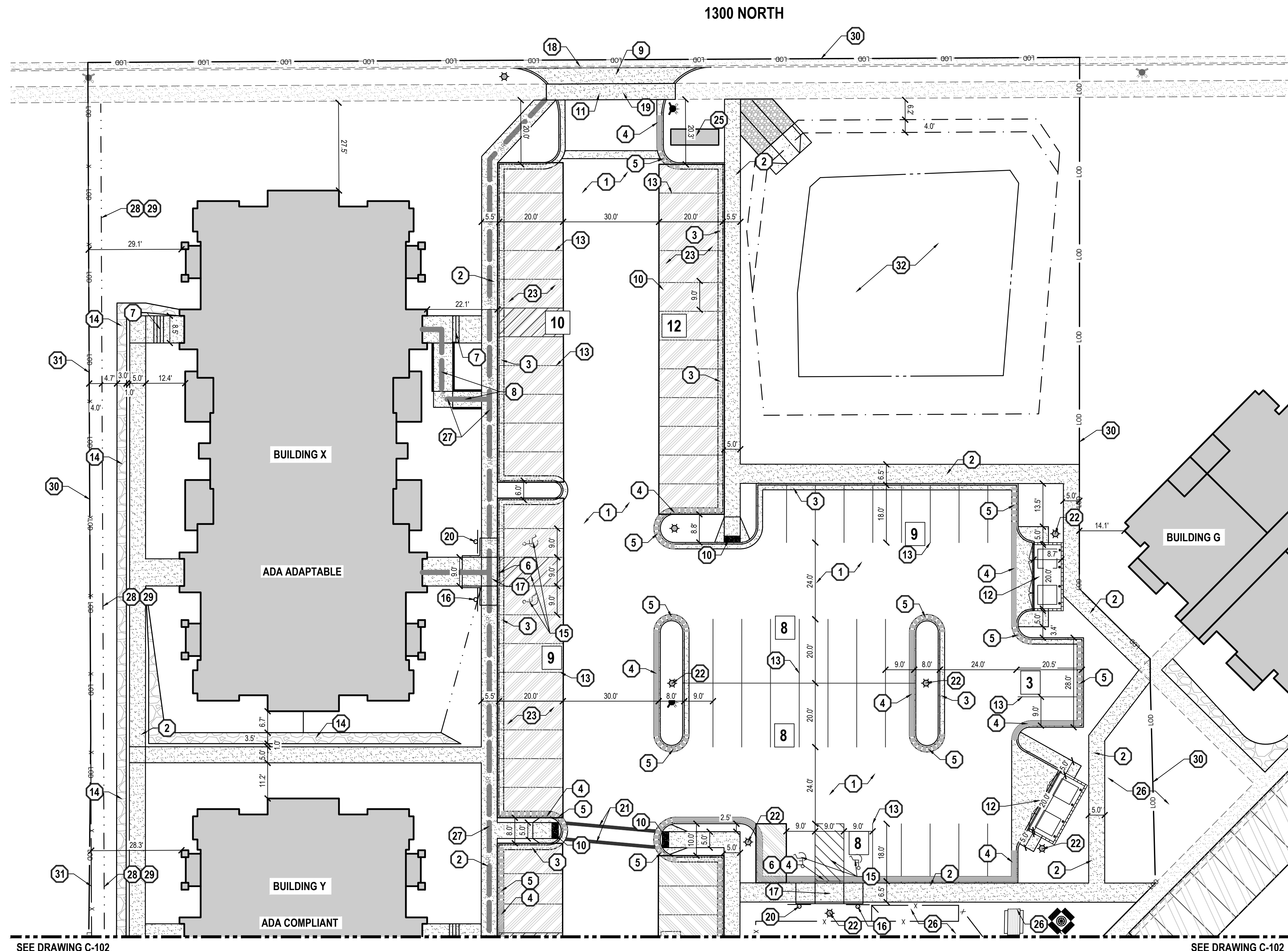
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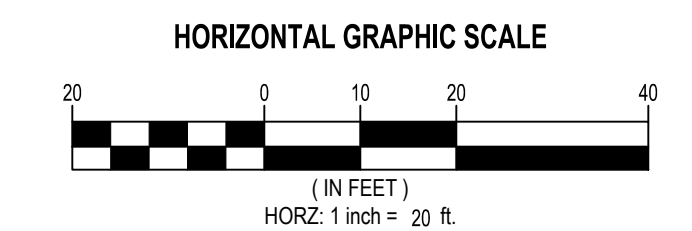
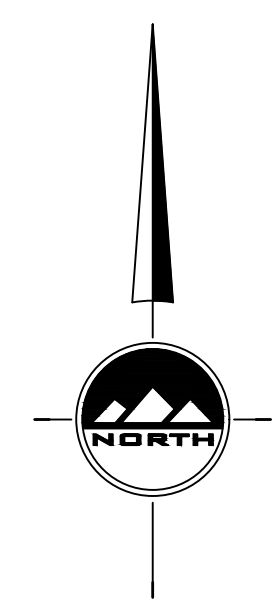
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SEE DRAWING C-102

SEE DRAWING C-102



**THE LEX APARTMENTS
AT LOT 102B**
1202 NORTH FRANKS DRIVE
TOOELE CITY, UTAH



SITE PLAN

PROJECT NUMBER: 82601
PRINT DATE: 2022-07-18

DRAWN BY: C. CHILD
CHECKED BY: J. CLEGG

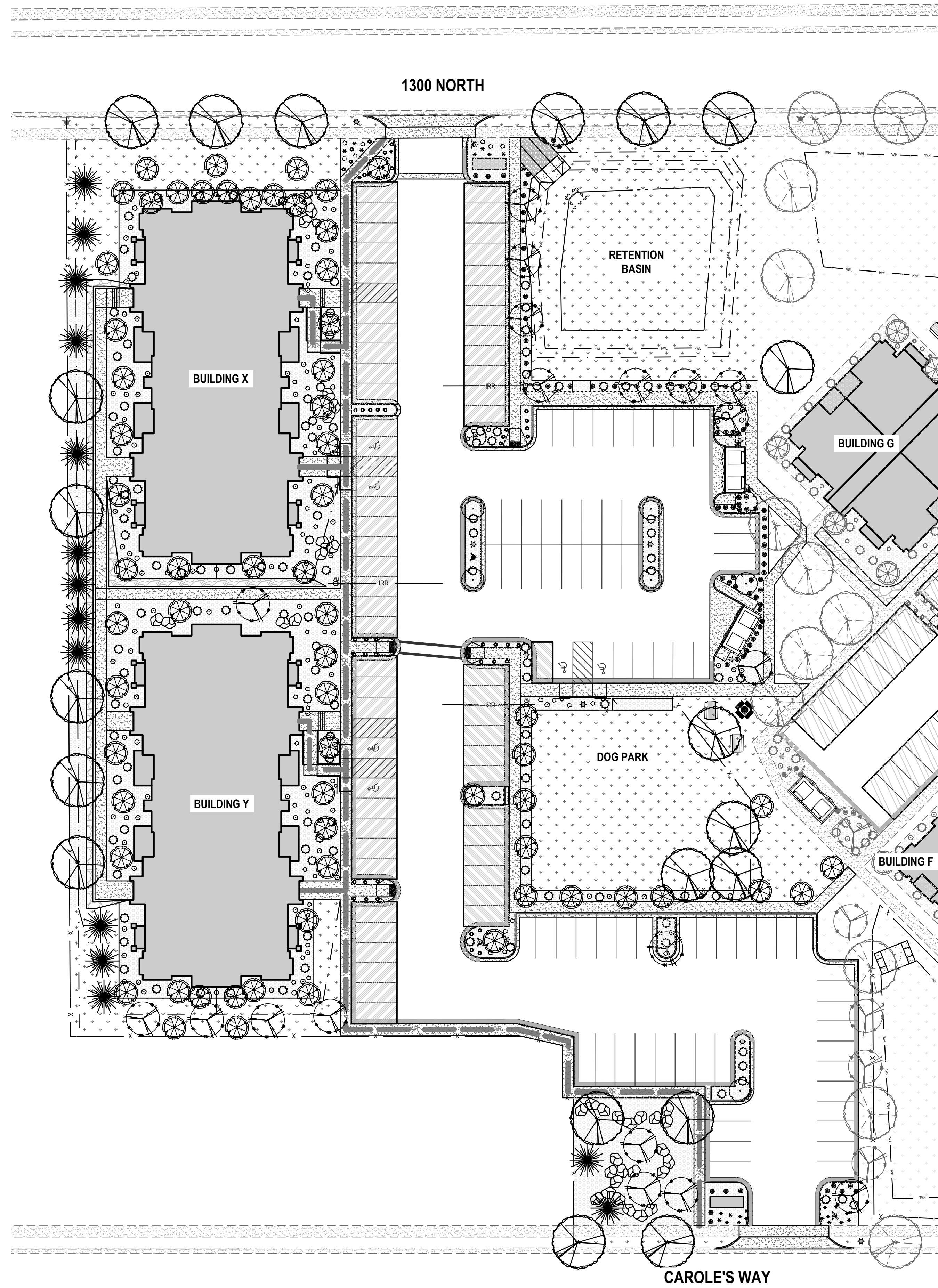
PROJECT MANAGER: C. CHILD

C-101

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LAKE BASE AND MERIDIAN, (FOUND 3" BRASS
TOOELE COUNTY SURVEYORS MONUMENT
WITH RING AND LID, DATED 2009)
ELEV = 4735.78'



Landscaping

Trees

Qty	Symbol	Common Name	Plant Size
65		Redbud, Eastern	2" Cal.
20		Plum, Cherry "Thundercloud"	2" Cal.
8		Royal Raindrop Crab	2" Cal.
20		Bur Oak	2" Cal.
14		Japanese Black Pine	2" Cal.

Total: 112 TREES TO BE WATERED WITH TREE DRIP POINT SOURCE EMITTERS PER SHEET L-300

GROUND FLOOR DWELLING UNITS = 24 UNITS

Shrubs Under 4 Feet

Qty	Symbol	Common Name	Plant Size
66		Cinquefoil	2 Gallon
101		Barberry, "Crimson Pygmy"	2 Gallon
126		Currant, Alpine	1 Gallon
44		Blue Oat Grass	1 Gallon
82		Feather Reed Grass "Karl Foerster"	1 Gallon

Total: 419

Annuals-Perennials

Qty	Symbol	Common Name	Plant Size
27		Daylily	1 Gallon

SITE SUMMARY TABLE

DESCRIPTION	AREA (SF)	PERCENTAGE
HARDSCAPE	66,728	47%
ROOF	21,972	16%
LANDSCAPING (LAWN)	52,160 (25,368)	37% (18%)
(DRIP)	(26,772)	(19%)
TOTAL SITE	140,860	100%
	3.23 ACRES	

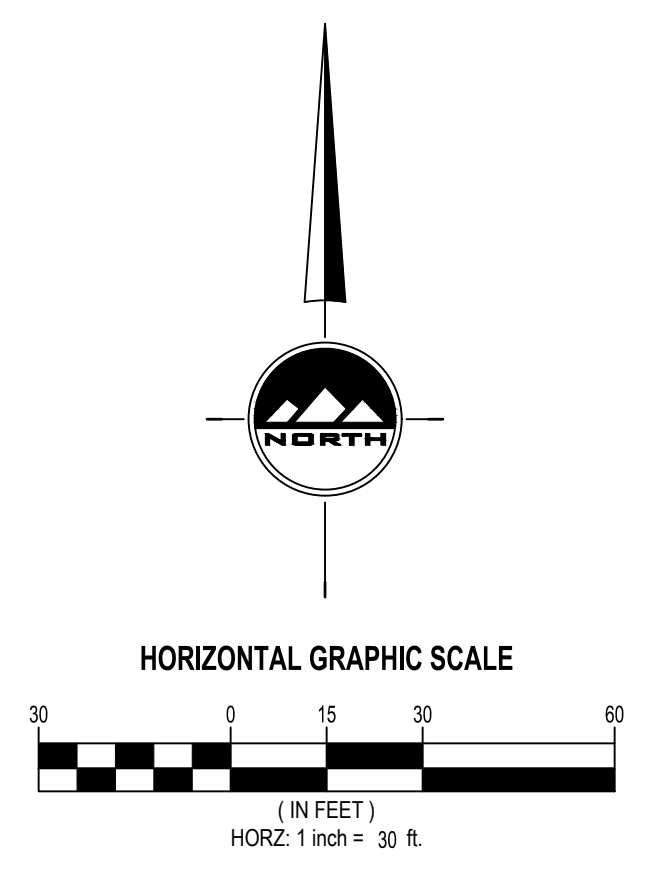
WATER USAGE CALCULATIONS
LANDSCAPE USAGE: AREA X WATER USAGE PER ACRE

SOD AREA @ 4 AFI/ACRE
DRIP AREA @ 2 AFI/ACRE

TOTAL SOD AREA: 0.58 ACRE
TOTAL DRIP AREA: 0.61 ACRE

SOD USAGE: 2.32 AF
DRIP USAGE: 1.22 AF

TOTAL LANDSCAPE USAGE = 3.54 AF



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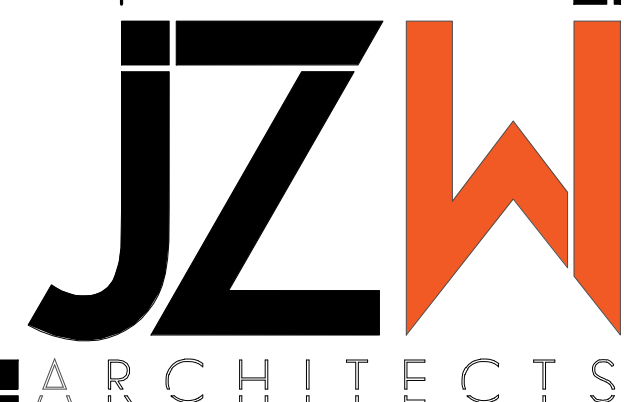
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**OVERALL
LANDSCAPING
PLAN**

PROJECT NUMBER: 82601
PRINT DATE: 2022-07-18
DRAWN BY: C. CHILD
CHECKED BY: J. CLEGG
PROJECT MANAGER: C. CHILD

L-100



GENERAL NOTES - ELEVATION

- A SEE GENERAL NOTES ON SHEET T1.2 FOR ADDITIONAL REQUIREMENTS.
- B COORDINATE WINDOW HEIGHTS WITH WINDOW SCHEDULE.
- C OWNER TO SELECT SIDING COLOR AND TEXTURE. INSTALL AS PER ELEVATIONS.
- D FINISH ROOF TO BE ASPHALT SHINGLES. INSTALL AS PER MANUFACTURER'S RECOMMENDATIONS.
- E PROVIDE RAIN GUTTERS AND DOWN SPOUTS AS REQUIRED.
- F COORDINATE ALL BEARING ELEVATIONS WITH ROOF PLAN. SEE STRUCTURAL DRAWINGS AND CALCULATIONS FOR ALL FRAMING REQUIREMENTS.
- G OWNER TO SELECT BRICK FOR BRICK VENEER. INSTALL AS PER ELEVATIONS, AND AS PER I.B.C. SEE GENERAL MASONRY NOTES.
- H OWNER TO SELECT STUCCO COLOR AND TEXTURE. INSTALL AS PER ELEVATIONS, AND AS PER I.B.C.
- I SEE ROOF PLAN FOR ALL ROOF SLOPES.

KEYED NOTES

- 1 1" X 8" CEMENT FIBER BOARD FASCIA COLOR TO MATCH TRIM
- 2 WINDOW AS PER SCHEDULE
- 3 DOOR AS PER SCHEDULE
- 4 4" TRIM, COLOR: WHITE
- 5 10" TRIM, COLOR: WHITE
- 6 GUARDRAIL TO MEET ALL I.B.C. REQUIREMENTS; SEE DETAIL 5 ON SHEET A6.1. COLOR: POWDER COAT DARK BRONZE
- 7 BRICK SOLDIER COURSE CAP
- 8 BUILDING LETTER TO BE INSTALLED AT THIS LOCATION
- 9 RAISED ROOF TO HAVE A 4" FASCIA ON THE SIDES
- 10 VENTS AND PIPES SHALL BE BLACK OR OF A COLOR SIMILAR TO THE SURROUNDING ROOFTOP.

MATERIAL LEGEND

IMAGE	CODE	MATERIAL	COLOR / FINISH
	M-1	*MASONRY - BRICK	BURNT UMBER
	S-1	6" HORIZONTAL SIDING	GRAY SLATE
	S-2	BOARD AND BATT SIDING	ARCTIC WHITE
	S-3	STUCCO	STOLIT MILANO 16285
	S-4	STUCCO	WHITE
	R-1	SHINGLE	MAX DEF MOIRE BLACK OR SIMILIAR
	C-1	PAINTED WOOD	WHITE

*50% OF THE EXTERIOR BUILDING FACADE IS BRICK. THE FRONT FACADE CANNOT CONTAIN THE 75% REQUIREMENT BUT TO KEEP THE BRICK WITHIN THE INTENT OF THE ZONING ORDINANCE, THE MAJORITY OF THE BRICK IS ON THE FRONT FACADE.



FRONT ELEVATION

1/8" = 1'-0"

FRONT	LEFT	BACK	RIGHT	TOTAL	
TOTAL S.F.	3392 SF	TOTAL S.F.	1536 SF	TOTAL S.F.	9856 SF
TOTAL BRICK	2027 SF	TOTAL BRICK	614 SF	TOTAL BRICK	5001 SF
PERCENTAGE	60%	PERCENTAGE	40%	PERCENTAGE	51%



LEFT SIDE ELEVATION

1/8" = 1'-0"



1
A2.2 REAR ELEVATION
1/8" = 1'-0"

	FRONT	LEFT	BACK	RIGHT	TOTAL
TOTAL S.F.	3392 SF	1536 SF	3392 SF	1536 SF	9856 SF
TOTAL BRICK	2027 SF	614 SF	1746 SF	614 SF	5001 SF
PERCENTAGE	60%	40%	51%	40%	51%

GENERAL NOTES - ELEVATION	
A	SEE GENERAL NOTES ON SHEET T1.2 FOR ADDITIONAL REQUIREMENTS.
B	COORDINATE WINDOW HEIGHTS WITH WINDOW SCHEDULE.
C	OWNER TO SELECT SIDING COLOR AND TEXTURE. INSTALL AS PER ELEVATIONS.
D	FINISH ROOF TO BE ASPHALT SHINGLES. INSTALL AS PER MANUFACTURER'S RECOMMENDATIONS.
E	PROVIDE RAIN GUTTERS AND DOWN SPOUTS AS REQUIRED.
F	COORDINATE ALL BEARING ELEVATIONS WITH ROOF PLAN. SEE STRUCTURAL DRAWINGS AND CALCULATIONS FOR ALL FRAMING REQUIREMENTS.
G	OWNER TO SELECT BRICK FOR BRICK VENEER. INSTALL AS PER ELEVATIONS, AND AS PER I.B.C. SEE GENERAL MASONRY NOTES.
H	OWNER TO SELECT STUCCO COLOR AND TEXTURE. INSTALL AS PER ELEVATIONS, AND AS PER I.B.C.
I	SEE ROOF PLAN FOR ALL ROOF SLOPES.

KEYED NOTES	
1	10" TRIM, COLOR: WHITE
2	DOOR AS PER SCHEDULE
3	4" TRIM, COLOR: WHITE
4	RAISED ROOF TO HAVE A 4" FASCIA ON THE SIDES
5	VENTS AND PIPES SHALL BE BLACK OR OF A COLOR SIMILAR TO THE SURROUNDING ROOFTOP.



2
A2.2 RIGHT SIDE ELEVATION
1/8" = 1'-0"

MATERIAL LEGEND			
IMAGE	CODE	MATERIAL	COLOR / FINISH
	M-1	*MASONRY - BRICK	BURNT UMBER
	S-1	6" HORIZONTAL SIDING	GRAY SLATE
	S-2	BOARD AND BATT SIDING	ARCTIC WHITE
	S-3	STUCCO	STOLIT MILANO 16285
	S-4	STUCCO	WHITE
	R-1	SHINGLE	MAX DEF MOIRE BLACK OR SIMILIAR
	C-1	PAINTED WOOD	WHITE

*50% OF THE EXTERIOR BUILDING FACADE IS BRICK. THE FRONT FACADE CANNOT CONTAIN THE 75% REQUIREMENT BUT TO KEEP THE BRICK WITHIN THE INTENT OF THE ZONING ORDINANCE, THE MAJORITY OF THE BRICK IS ON THE FRONT FACADE.

PROJECT NUMBER
22074

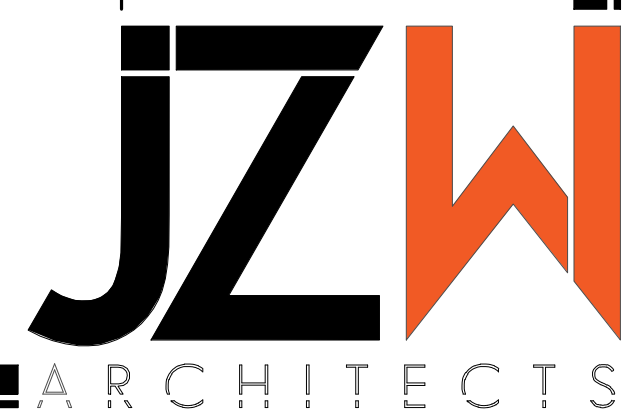
ISSUE DATE:
JUNE 9, 2022

REVISIONS:
No. Date

LEX APARTMENTS (REUSE)
BUILDING X - 30 PLEX
TOOELE, UT

ELEVATIONS

A2.2



**Tooele City Planning Commission
Business Meeting Minutes**

Date: Wednesday, August 10, 2022

Time: 7:00 p.m.

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

Commission Members Present:

Melanie Hammer
Matt Robinson
Tyson Hamilton
Weston Jensen
Alison Dunn

Commission Members Excused:

Chris Sloan
Paul Smith
Melodi Gochis

City Council Members Present:

Ed Hansen

City Employees Present:

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 7:07 p.m.

1. Pledge of Allegiance

The Pledge of Allegiance was led by Commissioner Jensen.

2. Roll Call

Melanie Hammer, Present
Matt Robinson, Present
Tyson Hamilton, Present
Weston Jensen, Present
Alison Dunn, Present
Paul Smith, Excused
Chris Sloan, Excused
Melodi Gochis, Excused

3. Public Hearing and Decision on a Conditional Use Permit Request by Heygly Gonzales to Operate a Home-Based Day-Care Business Involving the Care of 8 to 16 Children at 858 North Galena Drive on 0.15 Acres in the R1-7 PUD Residential Zoning District.

Mr. Bolser presented information on a Conditional Use Permit for a home-based day-care business. The property is zoned R1-7 PUD. Public notices were sent out to neighboring properties within 200 feet. Staff is recommending approval based on the findings and conditions listed in the City code.

Mr. Baker addressed the Commission. Conditional Use Permits are something that cannot be denied if there are reasonable conditions that can be imposed to mitigation anticipated adverse impacts for which there is evidence in the record. For example, saying the use will be noisy is not sufficient evidence; something more is needed. The Commission is listening for how the use will adversely impact the neighborhood and what conditions can be put on the use to mitigate them. There has to be discussion and evidence of those concerns.

Emails were received for the public comment from the following:
Erin Dawson-Feraco, Michael Fordham, and Dallas McCloy.

The public hearing was opened.

Erin Dawson-Feraco shared concerns about rules not being followed by the applicant. As well as parking, traffic, and City Road uses.

Callie Allgood shared concerns of the environment for the homeowners with noise and destruction of property.

Jacob Belcolon addressed the Commission regarding the appropriate driveway, dead lawn from the drought, standard pickup times, and additional traffic.

Brian Fehrmann shared concerns regarding traffic and maintaining the neighborhood.

The public hearing was closed.

Heygly Gonzales addressed the Commission. The business will follow all rules and laws. The daycare will work to not disturb the neighborhood.

The Planning Commission had the following questions:

Do you anticipate hiring people?

What are hours of operation?

Will you allow kids to be dropped off early or stay late?

There is a stipulation for times in City code?

In the emails from the public, there were references to the applicant living in the HOA. Is there a concern about putting in a written permission from the HOA?

Ms. Gonzales addressed the Commission's questions. They anticipate hiring two people. 5 O'Clock is the latest people can pick up, because she has other obligations.

Mr. Bolser addressed the Commission. There is not something for time in regards to home occupations. There are limitations on hiring employees.

Mr. Baker addressed the Commission's concerns. Commission could look at reasonable conditions, which can include hours of operations. State law does not allow conditions to prohibit the use, only to mitigate the impacts. These CC&Rs do not prohibit home occupations, but create a process that looks at the home occupation's impacts, very similar to the conditional use process.

The Concerns with mitigation include:

The traffic and parking are addressed by the parking plan provided.

The business will be operating during noise ordinance times.

Employees in home base businesses in the City code are limited to 1 non-resident employee.

There is a snow parking ordinance that prohibits parking while it snows.

There is not an ordinance within the City to address landscape.

Commissioner Hamilton motioned to approve the Conditional Use Permit Request by Heygly Gonzales to Operate a Home-Based Day-Care Business Involving the Care of 8 to 16 Children Based on the findings and conditions listed in the staff report, including an additional condition to follow all City and State code. Chairman Hammer seconded the motion. The vote was as follows: Commissioner Hammer, "Aye", Commissioner Dunn, "Aye" Chairman Robinson, "Aye" Commissioner Hamilton, "Aye", and Commissioner Jensen, "Aye". The motion passed.

4. Public Hearing and Recommendation on a Land Use Map Amendment Request by Thrive Development Corporation to Re-Assign the Land Use Designation for 17.3 Acres Located at Approximately 2520 and 2540 North 600 East from the Regional Commercial and Medium Density Residential Land Use Designations to the High-Density Residential Land Use Designation.

Mr. Bolser presented information on a Land Use Map amendment for the parcel located near 2520 and 2540 North. When the applications were submitted, there was mapping that made it appear the property was in smaller sections involved. The land Use map involves two pieces inside the larger parcels. The zoning is MR-20, RC, R1-7, and GC. The Land Use Map identifies the revision from MDR to High Density Residential.

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

Jeff Lee gave the Commission a handout. They worked to cascade down throughout the property, starting with commercial and apartments, to less density creating a natural buffer.

David Gumucio addressed the Commission. The tearing effect is more adequate for this development. There was concerns to have R1-7 directly next to MR-20.

The Commission likes the concept for the Land Use Map.

Commissioner Jensen motioned to forward a positive recommendation Land Use Map Amendment Request by Thrive Development Corporation to Re-Assign the Land Use Designation for 17.3 Acres Located at Approximately 2520 and 2540 North 600 East from the Regional Commercial and Medium Density Residential Land Use Designations to the High-Density Residential Land Use Designation based on the conditions and findings listed in the staff report. Chairman Robinson seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”, Commissioner Dunn, “Aye” Chairman Robinson, “Aye” Commissioner Hamilton, “Aye”, and Commissioner Jensen, “Aye”. The motion passed.

5. Public Hearing and Recommendation on a Zoning Map Amendment request by Thrive Development Corporation to Re-Assign the Zoning for Approximately 17.3 Acres Located at Approximately 2520 and 2540 North 600 East from RC Regional Commercial and R1-7 Residential to the MR-20, MR-16 and MR-12 Multi-Family Residential Zoning Districts.

Mr. Bolser presented information on the Zoning Map amendment. The property is currently zoned RC, MR-20, and R1-7 with the proposed amendment being changed to MR-16 and MR-12.

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

Commissioner Dunn motioned to forward a positive recommendation of the Zoning Map Amendment request by Thrive Development Corporation to Re-Assign the Zoning for Approximately 17.3 Acres Located at Approximately 2520 and 2540 North 600 East from RC Regional Commercial and R1-7 Residential to the MR-20, MR-16 and MR-12 Multi-Family Residential Zoning Districts based on the conditions and findings listed in the staff report. Commissioner Hammer seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”, Commissioner Dunn, “Aye” Chairman Robinson, “Aye” Commissioner Hamilton, “Aye”, and Commissioner Jensen, “Aye”. The motion passed.

6. Public Hearing and Recommendation on a City Code Text Amendment to Table 7-4-1 and Section 7-11a-13 Regarding Garage Parking in Multi-Family Residential Developments.

Mr. Bolser presented information on a City Code text amendment in regards to parking in residential family developments. There were concerns surrounding multi-family residential areas, specifically about garages. A temporary ordinance came forward in March that allowed the City to properly address the issue. The City needed a balanced approach that was clear and understandable allowing them to maintain public safety and the design aspect from the developers. The changes were to Table 7-4-1 and section 7-11a-13 to clarify and mitigate potential issues.

The Planning Commission shared the appreciation for the clarity and the balance.

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

Commissioner Hammer motioned to forward a positive recommendation on the City Code Text Amendment to Table 7-4-1 and Section 7-11a-13 Regarding Garage Parking in Multi-Family Residential Developments. Commissioner Jensen seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”, Commissioner Dunn, “Aye” Chairman Robinson, “Aye” Commissioner Hamilton, “Aye”, and Commissioner Jensen, “Aye”. The motion passed.

7. City Council Reports

Council Member Hansen shared the following information from the City Council Meeting: There was a discussion and input from the citizens regarding the tax raise and budget. The applications for the property near Approximately 2000 North 1400 West was changed to Light Industrial.

8. Review and Approval of Planning Commission Minutes for the Business Meeting Held on July 27, 2022.

No changes to the minutes.

Commissioner Hammer motioned to approve the minutes from July 27. Commissioner Hamilton seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”, Commissioner Dunn, “Aye” Chairman Robinson, “Aye” Commissioner Hamilton, “Aye”, and Commissioner Jensen, “Aye”. The motion passed.

8. Adjourn

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 August, 2022

Matt Robinson, Tooele City Planning Commission Chair