

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN THAT the Tooele City Planning Commission will meet in a business meeting scheduled for **Wednesday, November 9, 2022** at the hour of 7:00 p.m. The meeting will be held in the City Council Chambers of Tooele City Hall, located at 90 North Main Street, Tooele, Utah.

*We encourage anyone interested to join the Planning Commission meeting electronically through Tooele City's YouTube channel by logging onto www.youtube.com/@tooelecitey or searching for our YouTube handle **@tooelecitey**. If you would like to submit a comment for any public hearing item you may email pcpubliccomment@tooelecitey.org anytime after the advertisement of this agenda and before the close of the hearing for that item during the meeting. Emails will only be read for public hearing items at the designated points in the meeting.*

AGENDA

1. **Pledge of Allegiance**
2. **Roll Call**
3. **Decision** on a Site Plan Design Review Request for the Harris Community Village Multi-Family Residential Support Facility Development by AJC Architects Located at 251 North First Street in the MR-8 Multi-Family Residential Zoning District on 9.3 Acres. **(Continued from October 26, 2022 Planning Commission Meeting)**
4. **Public Hearing and Decision** on a Conditional Use Permit Request by Andrew Maddocks for the "Automobile Sales and Rental" Use on Property Located at 7 South Main Street in the GC General Commercial Zoning District on 0.25 Acres.
5. **Public Hearing and Decision** on a Conditional Use Permit Request by Alyssa Valenzuela for a Home Based Daycare Involving 8 to 16 Children at 981 Morning Lane on 0.22 Acres in the R1-7 Residential Zoning District.
6. **Public Hearing and Recommendation** on a Land Use Map Amendment Request by Wagstaff Investments, LLC to Re-Assign the Land Use Designation for Approximately 2 Acres Located at the Northeast Corner of Franks Drive and 1000 North from High Density Residential to Regional Commercial.
7. **Public Hearing and Recommendation** on a City Code Text Amendment Request by Tooele City to Revise Table 1 of Chapter 7-16 of the Tooele City Code Regarding Residential Treatment Facilities and Programs in the MU-G Mixed Used - General Zoning District.
8. **City Council Reports**
9. **Planning Commission Training** on Parks and Recreation Planning.
10. **Review and Approval** of Planning Commission Minutes for the Meeting Held on October 26, 2022.
11. **Adjourn**



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

STAFF REPORT

November 3, 2022

To: Tooele City Planning Commission
Business Date: November 9, 2022

From: Planning Division
Community Development Department

Prepared By: Andrew Aagard, City Planner / Zoning Administrator

Re: Harris Community Village – Site Plan Design Review Request

Application No.: P22-201
Applicant: Heber Slabbert, representing AJC Architects
Project Location: 251 N 1st Street
Zoning: MR-8 Multi-Family Residential Zone
Acreage: 9.38 Acres (Approximately 408,592 ft²)
Request: Request for approval of a Site Plan Design Review in the MR-8 Multi-Family Residential zone regarding authorization of a multi-family residential building in conjunction with the Harris Community Resource Center.

BACKGROUND

This item was tabled from the October 26, 2022 meeting to provide time for staff to resolve some architectural matters related to the building appearance. The following items have been addressed:

1. Requirement for balconies on upper floor units. Staff and the applicant have come to an agreement that larger shade structures over the windows will provide the same appearance and horizontal articulation that the balconies would provide. The shade structures are actually similar in appearance to balconies.
2. Bay or box window for each dwelling unit on the ground floor for front façade only. The applicant has added a vertical course brick section around windows for ground units on the designated front façade. This alternative course of brick provides an image of depth and accomplishes the same appearance that a bay or box window would accomplish for horizontal relief.
3. Each window has either large sections of exterior insulation trim, a precast lintel above or below the window or an insulation trim lintel above or below the window. This satisfies ordinance requirements for window trim and treatment.
4. Columns on front façade. The applicant has added an architectural trellis on the front façade along with columns around the entrance. The ordinance does not require a minimum number of columns nor does it dictate where columns should be placed, only that columns should be there. Therefore the columns as provided satisfy ordinance requirement
5. Fencing. There is existing chain link fencing already in place. The ordinance states that view obscuring fencing “shall be provided.” This fencing requirement is triggered when there is no fencing present. The applicant will be working to improve the existing fence to make it view obscuring through the addition of vinyl slats or other measures.

This application is a request for approval of a Site Plan Design Review for approximately 9.38 acres located at 251 N 1st Street. The property is currently zoned MR-8 Multi-Family Residential. The applicant is requesting that a Site Plan Design Review be approved to allow for the construction of a

multi-family residential apartment building in conjunction with the Harris Community Resource Center.

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 MR-8 Multi-Family Residential zoning classification, supporting approximately eight dwelling units per acre. The MR-8 Multi-Family Residential zoning designation is not identified by the General Plan as a preferred zoning classification for the Medium Density Residential land use designation. All surrounding properties are currently zoned R1-7 Residential, however, even though the properties have a single-family zoning designation, there are many legally non-conforming multi-family residential uses located adjacent to the subject property. Mapping pertinent to the subject request can be found in Exhibit “A” to this report.

The applicant, AJC Architects is representing the Tooele County Housing Authority (TCHA) who is the owner and developer of the property. TCHA is revitalizing the old Harris Elementary School and is currently converting the main school building into a community resource center designated to provide assistance to the homeless and to others who are otherwise in need of assistance. The resource center provides counseling services, a child day care, food pantry and other resources for those in need of such assistance. This application, although an application of TCHA, is not part of the community resource center. The resource center is not in any need of approvals as construction is currently underway on that portion of the project. This site plan design review involves the construction of a new 66 unit residential building where those needing some housing assistance can reside for periods of longer terms while participating in the residential support programs offered by TCHA. This structure is a multi-family residential structure and will need to meet the same site, landscaping and architectural requirements as any other multi-family residential structure constructed in Tooele City. There are some ordinance exemptions related to the size of the unit and the number of parking spaces and these exemptions will be discussed in greater detail in various sections of this staff report.

Site Plan Layout. The proposed site plan shows the community resource center (CRC) outlined with a bold line. The proposed residential building being considered in this site plan design review is proposed to be constructed at the far south west corner of the site to the west and south of the CRC building. There are existing parking areas east and south of the CRC with some proposed parking areas south and west of the proposed housing building. Located between the CRC and the housing building will be ample landscaping and amenities to be utilized by the residents and those utilizing the services provided by the CRC.

At 9.38 acres the MR-8 zone permits 75 dwelling units. The proposed housing building provides 66 units and is well within the density limitations of the MR-8 zoning district. The TCHA will encounter density problems if they construct any additional units on other portions of the property and will need to consider a zoning map amendment at that time. For this building, the density is fine.

Accesses into the site will be provided from 1st street and line up with existing intersections at Cedar Street and Birch Street.

Landscaping. Landscaping on the site greatly exceeds the 25% landscaping requirement and incorporates various types of ground covers, planting beds, amenities and so forth. The dominant landscaping feature is shrub beds covered with cobble mulches over weed barrier fabric. The plans include the installation of 132 new trees, 127 of which are deciduous with 5 of those trees being coniferous ever green. Staff would like to see more ever green trees such as Austrian Pine, Blue Spruce or Japanese Black Pine to provide some variety during the winter months when deciduous trees have shed their leaves, however, there is not

an ordinance requirement for a ratio or mix of deciduous or coniferous trees. Trees have been placed in locations adjacent to buildings, common areas, property lines and roads as required by the design guidelines. Shrub beds are ample throughout the site, adjacent to the building foundation, parking areas, property lines and near the amenities at the center of the site and exceed design guidelines requirements.

Amenities. At 66 units the development is required to provide a minimum of two amenities. Six amenities are being provided. Those amenities are two tot lot play structures, a swing set, curva spinners, sand box and raised garden plots.

Parking. Tooele City Code 7-11a-2 Subsection 3 provides an exemption to some of the typical standards required for multi-family residential developments. If the project meets the ordinance defined criteria the parking requirement is reduced to 1 uncovered parking space per unit. It should also be noted that many of the residents utilizing the residential support programs offered by TCHA do not own or operate cars. The residential building itself has 66 units and therefore the parking requirement is 66 parking stalls. There are 39 parking stalls south and west of the residential building along with an additional 60 parking stalls east of the CRC. That is a total of 99 parking stalls leaving approximately 33 parking stalls available for use of the CRC, child day care, etc, and that is assuming every resident of the facility owns and operates a car. The residential portion of the proposed development has sufficient parking. There is also ample room for additional parking to the north of the proposed development, however, it should be emphasized that additional parking in this location will require a site plan amendment as the additional parking areas will need to meet City parking lot requirements.

Architecture. This a tough one for both the applicant and for staff. Given the nature of the facility being a residential support facility this is not a typical multi-family residential housing development. The individuals being housed in this facility are those recovering from substance abuse problems, homelessness and other issues. Housing that works for the average individual may not be suitable for the individual struggling with some of these issues. Staff has worked closely with the applicant to come to a building appearance that satisfies the needs of the applicant but also meets the design guidelines as found in Tooele City Code 7-11a. However, the building isn't quite there yet and still needs a little work. Staff hopes the Planning Commission can lend some design review assistance in these matters.

The building is a three story building and it does meet the height requirements of the MR-8 multi-family residential zone standing close to 35 feet from foundation to top of parapet wall. The building is "L" shaped and therefore has facades that face a public street and facades that face single-family residential zones. It also has facades that face the existing CRC building. The front of the building has been designated as the facades facing the internal court yard and facing the CRC building. These facades are also the most visible from 1st Street. However, the building exterior is largely the same architectural design on all facades.

Vertical variation is provided with parapet walls extending above the main roof line and divided into sections no longer than 48 feet with gaps of 9 to 12 feet in between. At the center of the building is a single-story entrance and common area before the building branches off to the residential wings. Vertical elements such as columns and quoins are required on the front and public street facing facades. In meeting with the applicant to discuss the matter it was explained that on the front façade, where these elements are required, columns are provided at the main building entrance. The building perspectives help show the columns provided at the entrance on the front building façade.

Horizontal variation is a little more tricky for a building of this type. The lighter colored brick areas do extend out from the darker colored brick and thus provide some unit delineation and some horizontal relief. However, there are other horizontal relief issues that need to be addressed such as requirements for bay or box windows for the ground floor units and balconies for the upper floor units. Staff has met with

the applicant and has determined that the building pop outs will address the requirement for ground floor units, however, upper floor units are required to have at least one balcony per unit. In discussing the matter with the applicant it was determined that a balcony area is not a desired function for a residential support facility and the applicant was resistant to installing balconies for safety and aesthetic considerations and what the residents might do with those balconies. In consideration of the unique housing situation this facility provides staff arranged a compromise with the applicant that will relieve them of the balcony requirement and still provide the horizontal articulation the ordinance requires and that balconies typically provide. The applicant agreed to install shade awnings above the windows of each unit. It was agreed upon at that meeting that this would fulfill the horizontal articulation requirement typically satisfied by balconies.

Front and public street facing façade windows are all required to have 4 inch trim or include stucco lintels below each window. Windows on all other facades require only a 2 inch trim. Not all of the windows include the necessary trim but do include a stucco lintel either above or below the window. Ground floor units do not include any identifiable trim or lintels.

Exterior materials are primarily brick. North and east elevations are almost entirely brick where the south and west elevations incorporate a brick wainscot with patches of stucco EIFS paneling separated by sections of brick. Building exterior materials do meet or exceed the minimum requirements for brick and or stone.

It should be noted that the ordinance also provides an exemption to the minimum dwelling unit size for residential treatment facilities such as 400 square feet for studio units, 575 square feet for one bedroom units and 800 square feet for two bedroom units.

Signage. The development includes one entry monument sign at each point of connection to 1st Street.

Fencing. When a multi-family residential development such as this is located adjacent to single-family residential zoning a fencing requirement is triggered. In this case fencing between the development and the single-family zones to the south and to the west is required. Fencing requirements are 6 foot solid vinyl with masonry piers spaced every 8 to 10 feet or other equidistant spaces. The plans provided by the applicant do not clearly indicate the type of fencing to be installed but only say “construct fencing”. The detail sheets also do not provide information as to what kind of fencing is to be installed. The plans need to demonstrate what kind of fencing will be installed and that the fencing meets or exceeds ordinance requirements. Current plans do not do that.

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 the following comments:

1. City Staff have worked with the applicant to address the architectural issues that were described above. Staff is confident that those issues have been resolved to such a degree that the intent of the ordinance is satisfied at that the building suits the unique needs of a residential support facility.
2. The site plan and landscape plan meet or exceed all minimum requirements of the multi-family residential design guidelines as found in Tooele City code 7-11a.

Engineering and Public Works 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 review of the Site Plan Design Review submission and has issued a recommendation for approval for the request.

Noticing. A site plan design review does not require a public hearing and as such public notices are not issued to adjacent property owners or posted in legally obligated posting locations, other than the meeting agenda.

STAFF RECOMMENDATION

Staff recommends approval of the request for a Site Plan Design Review by Heber Slabbert, representing AJC Architects, application number P22-201, 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 Approval – “I move we approve the Site Plan Design Review Request by Heber Slabbert, representing AJC Architects for the Harris Community Village Apartment Building, application number P22-201, based on the findings and subject to the conditions listed in the Staff Report dated November 3, 2022:”

1. List any additional findings and conditions...

Sample Motion for Denial – “I move we deny the Site Plan Design Review Request by Heber Slabbert, representing AJC Architects for the Harris Community Village Apartment Building, application number

P22-201, based on the following findings:”

1. List findings...

EXHIBIT A

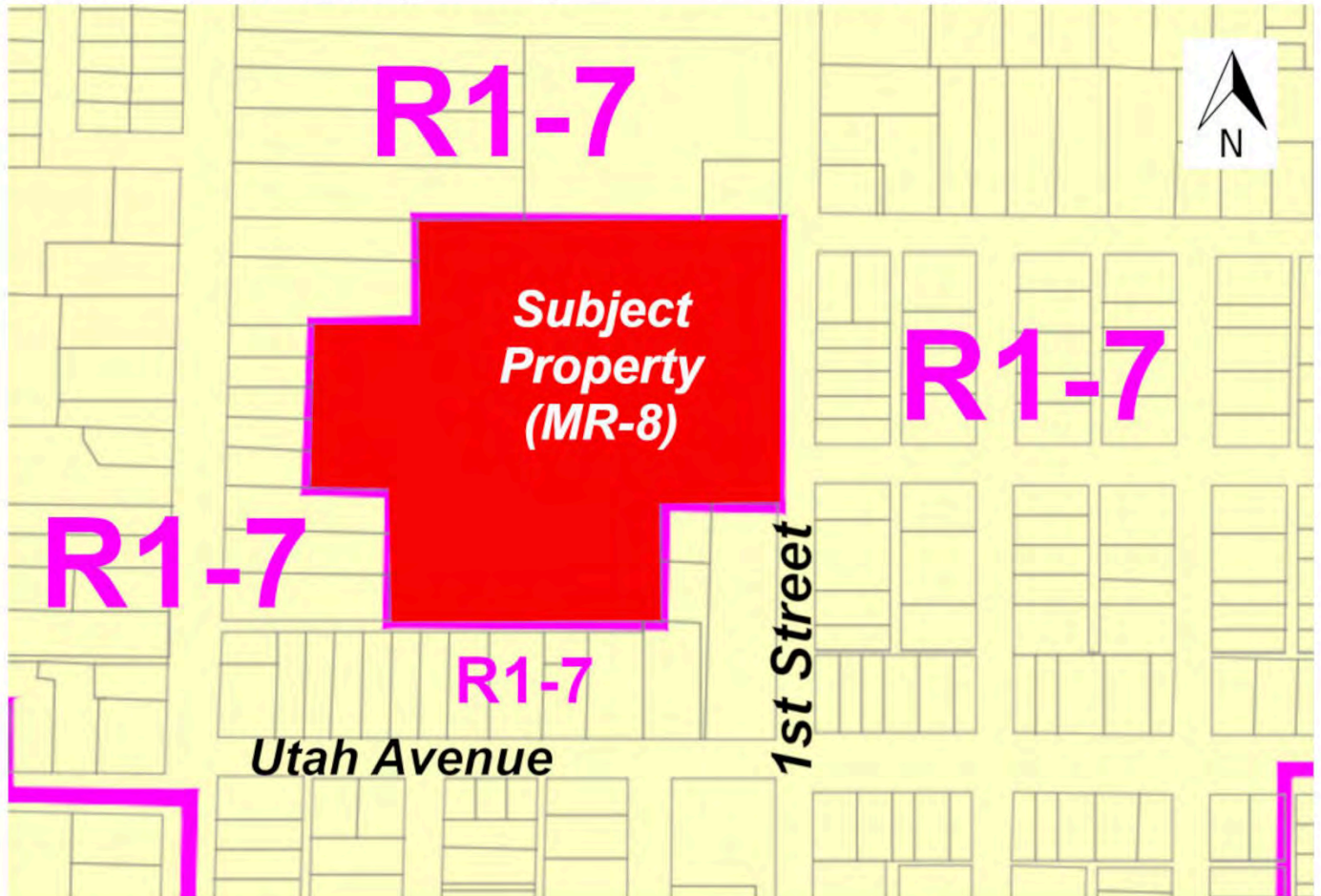
**MAPPING PERTINENT TO THE HARRIS COMMUNITY VILLAGE SITE PLAN
DESIGN REVIEW**

Harris Community Village Site Plan Design Review



Aerial View

Harris Community Village Site Plan Design Review

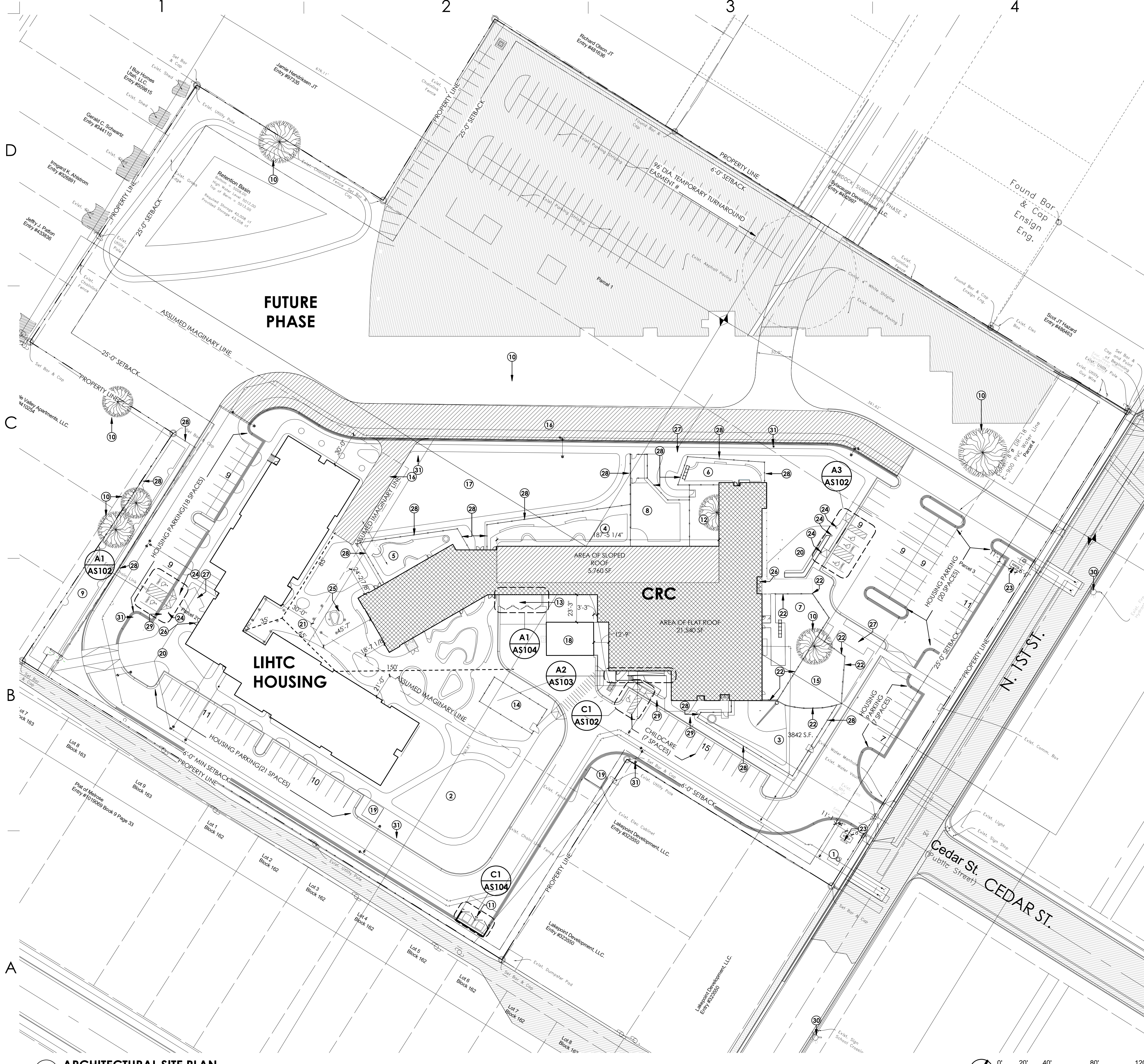


Current Zoning

EXHIBIT B

**PROPOSED DEVELOPMENT PLANS &
APPLICANT SUBMITTED INFORMATION**

11/1/2022 6:05:18 PM BIM 340:/Harris Community Village (2021.12 - Harris Community Village - CRC ataylorIV5V2.rvt)
 ALL IDEAS, DESIGNS, ARRANGEMENTS AND PLANS INDICATED OR REPRESENTED BY THESE DRAWINGS ARE OWNED BY AND THE PROPERTY OF AJC ARCHITECTS PC AND SHALL REMAIN THE PROPERTY OF AJC ARCHITECTS PC. NO PART OF THESE DRAWINGS OR ANY INFORMATION CONTAINED HEREIN SHALL BE REPRODUCED, COPIED, REPRODUCED, TRANSMITTED, OR IN ANY MANNER DISCLOSED TO ANY OTHER PERSON OR ENTITY WITHOUT THE WRITTEN CONSENT OF AJC ARCHITECTS PC. ANY REPRODUCTION OR DISCLOSURE OF ANY INFORMATION CONTAINED HEREIN WITHOUT THE WRITTEN CONSENT OF AJC ARCHITECTS PC IS A VIOLATION OF THE PROFESSIONAL ETHICS AND STANDARDS OF PRACTICE OF THE ARCHITECTURAL PROFESSION AND IS A CRIMINAL OFFENSE UNDER 18 U.S.C. SEC. 106. UNAUTHORIZED DISCLOSURE MAY CONSTITUTE TRADE SECRET MISAPPROPRIATION IN VIOLATION OF 18 U.S.C. SEC. 1832 AND OTHER LAWS.



GENERAL NOTES:

SEE SHEET GI002 FOR DRAWING INDEX.
 SEE SHEET GI003 FOR GENERAL NOTES AND ABBREVIATIONS.
 DO NOT SCALE DRAWINGS.
 CONTRACTOR / SUBCONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS BEFORE BEGINNING WORK. AND SHALL REPORT TO THE ARCHITECT ANY ERRORS, INCONSISTENCIES OR OMISSIONS BEFORE BEGINNING WORK. SEE GENERAL NOTES AND SPECIFICATIONS.
 ALL ADDED PARTITIONS TO EXTEND TO UNDERSIDE OF ROOF DECK UNLESS OTHERWISE NOTED.

KEYED NOTES:

- 1 NEW CURB CUT.
- 2 LIHTC CHILDREN'S PLAY AREA.
- 3 CHILDCARE CHILDREN'S PLAY AREA.
- 4 FAMILY SHELTER CHILDREN'S PLAY AREA.
- 5 FEMALE SHELTER EXTERIOR SPACE.
- 6 MALE SHELTER EXTERIOR SPACE.
- 7 ADMIN. EXTERIOR BREAK AREA.
- 8 RESOURCE CENTER DOG RUN.
- 9 LIHTC DOG RUN.
- 10 EXISTING TREE.
- 11 LIHTC DUMPSTER ENCLOSURE.
- 12 RESOURCE CENTER MECHANICAL YARD.
- 13 RESOURCE CENTER DUMPSTER ENCLOSURE.
- 14 COMMUNITY GARDEN.
- 15 EXISTING DETENTION POND.
- 16 FIRE ACCESS ROAD.
- 17 OPEN SPORTS FIELD.
- 18 EXISTING MASONRY STRUCTURE TO REMAIN. PROTECT.
- 19 TRANSFORMER. SEE ELECTRICAL DRAWINGS.
- 20 ENTRY PLAZA.
- 21 CENTRAL VILLAGE PLAZA.
- 22 EXISTING FENCING TO REMAIN AND BE REFINISHED.
- 23 CONCRETE MONUMENT SIGN. DESIGN TBD.
- 24 ADA SIGN
- 25 BARBECUE - DO THESE NEED GAS?
- 26 ADA PUSH BUTTON LOCATION @ MAIN DOOR
- 27 BIKE RACK. SEE SPECIFICATIONS.
- 28 FENCING. SEE SPECIFICATIONS.
- 29 ACCESSIBLE ROUTE.
- 30 EXISTING FIRE HYDRANT
- 31 FIRE HYDRANT

ZONING NOTES

ZONE	MR-8
SETBACK	
MINIMUM FRONT YARD	25 FT
MINIMUM REAR YARD	25 FT
MINIMUM SIDE YARD	6 FT
MAXIMUM BUILDING HEIGHT	35 FEET
TOTAL LOT COVERAGE (ALL BUILDINGS)	40%

TOTAL SITE AREA 440,089 SQFT

LANDSCAPE	
Turfgrass	25,495 SQFT
3'-6" Dia. Tan/Beige Cobble (Detention)	24,673 SQFT
3" Deep 1.5" Tan/Beige Rock Mulch	40,255 SQFT
3" Deep Bark Mulch	9,649 SQFT
TOTAL (22.74%)	100,072 SQFT

OPEN SPACE	
Synthetic Turf Dog Runs	4,951 SQFT
Sidewalks and plazas	32,381 SQFT
Playgrounds	2,585 SQFT
Garden area	1,262 SQFT
TOTAL (9.36%)	41,179 SQFT

TOTAL LANDSCAPE & OPEN SPACE (32.1%) 141,251 SQFT

****PLEASE REFERENCE TOOELE CITY ORDINANCE 2021-35.****

PARKING USE	# OF STALLS	ADA STALLS
LIHTC HOUSING	66	(2 VAN)
CRC	33	4(2 VAN)
TOTAL	99	6 (4 VAN)

ajc architects

703 east 1700 south
 salt lake city, ut 84105
 ajcarchitects.com



ARCHITECT / CONSULTANT

AUTHORITY HAVING JURISDICTION

PROJECT DESCRIPTION
HARRIS COMMUNITY VILLAGE

251 N. 1ST STREET
 TOOELE, UT 84074

SHEET NAME:
ARCHITECTURAL SITE PLAN

REVISIONS

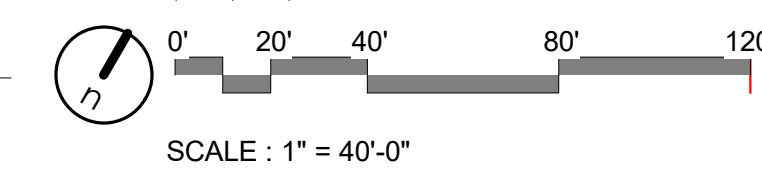
MARK	DATE	DESCRIPTION
1	02.18.22	ADDENDUM 01 - PERMIT REVIEW #1
2	03.18.22	ADDENDUM 02 - PERMIT REVIEW #2
3	04.06.22	ADDENDUM 03 - PERMIT REVIEW
5	08.02.22	ADDENDUM 05 - PERMIT REVIEW
6	09.13.22	ADDENDUM 06 - PERMIT REVIEW

ISSUE DATE: **09/27/22**
 ISSUE TYPE: **CONFORMED SET**
 DRAWN BY: **AT | MS | AL**
 CHECKED BY: **KR**
 PROJECT#: **2021-12**

SHEET NUMBER:

AS101

A1 ARCHITECTURAL SITE PLAN
 1" = 40'-0"







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HARD WING
100











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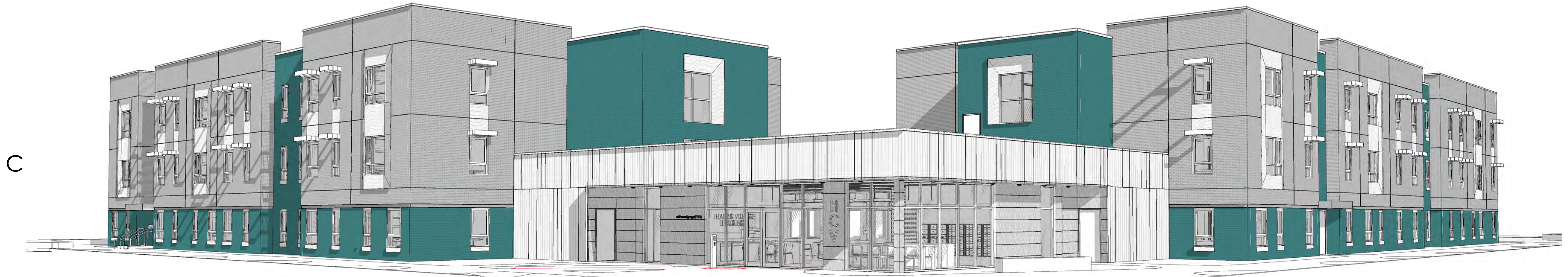
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D1 PERSPECTIVE - NORTHEAST CORNER



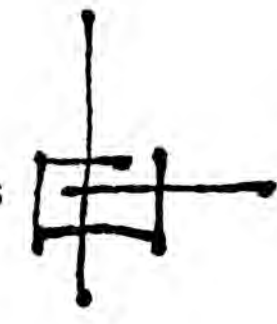
C1 PERSPECTIVE - SOUTHWEST CORNER



A1 PERSPECTIVE - COLONNADE

11/1/2022 5:58:05 PM BIM 360://Harris Community Village (2021-12 - Harris Community Village Apartments-V-21.rvt)
 ALL IDEAS, DESIGNS, ARRANGEMENTS AND PLANS INDICATED OR REPRESENTED BY THESE DRAWINGS ARE OWNED BY AND THE PROPERTY OF AJC ARCHITECTS, P.C. AND WERE CREATED, DEVELOPED, AND EXPLORED FOR USE ON AND IN CONNECTION WITH THE SPECIFIED PROJECT. NONE OF THE IDEAS, DESIGNS, ARRANGEMENTS OR PLANS SHALL BE USED BY OR DISCLOSED TO ANY PERSON, FIRM, OR CORPORATION FOR ANY PURPOSE WHATSOEVER WITHOUT THE WRITTEN CONSENT OF AJC ARCHITECTS. ANY VIOLATION OF THIS AGREEMENT SHALL BE SUBJECT TO THE PENALTIES AND CONDITIONS SHOWN BY THESE DRAWINGS. WARNING: REPRODUCTION HEREOF IS A CRIMINAL OFFENSE UNDER 18 U.S.C. SEC. 106. UNAUTHORIZED DISCLOSURE MAY CONSTITUTE TRADE SECRET MISAPPROPRIATION IN VIOLATION OF 18 U.S.C. SEC. 1839 AND OTHER LAWS.

ajc architects



703 east 1700 south
 salt lake city, ut 84105
 ajcarchitects.com



ARCHITECT / CONSULTANT

AUTHORITY HAVING JURISDICTION

PROJECT DESCRIPTION
HARRIS COMMUNITY VILLAGE

251 NORTH 1ST STREET
 TOOELE, UTAH 84074

SHEET NAME:
PERSPECTIVES

REVISIONS	MARK	DATE	DESCRIPTION

ISSUE DATE: 10/17/22
 ISSUE TYPE: CONFORMED SET
 DRAWN BY: Author
 CHECKED BY: Checker
 PROJECT#: 2021.12

SHEET NUMBER:

G013

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11/1/2022 5:53:12 PM BIM 360://Harris Community Village (2021-12 - Harris Community Village Apartments-V-21.rvt)
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 FOR DIRECTIONS ON BLOCKING, SEE NOTE # 25 ON G003 OF GENERAL NOTES.
 FOR ACCESSIBILITY REQUIREMENTS WITH RESPECT TO DOOR AND DOORWAY CLEARANCE REQUIREMENTS, LAVATORY ACCESSORY CLEARANCES, TUB AND SHOWER CLEARANCES, TOILET CLEARANCES AND WATER COOLER REQUIREMENTS SEE SHEET G004.
 FOR ACCESSIBILITY REQUIREMENTS WITH RESPECT TO REACH REQUIREMENTS, URINAL CLEARANCES, LEVEL CHANGES, CLEAR FLOOR SPACE AND HEIGHT REQUIREMENTS, RAMP LANDINGS, SIGNS - PICTOGRAMS, ELONGATED OPENINGS, HANDRAIL REQUIREMENTS SEE SHEET G005.
 FOR ACCESSIBILITY REQUIREMENTS, MOUNTING HEIGHTS AND BLOCKING REQUIREMENTS FOR WALL HUNG FEATURES WITH RESPECT TO TYPE A AND B RESIDENTIAL UNITS, SEE SHEET G006.
 FOR ALL TYPE A UNITS, SEE SHEET A051 AND THE FOLLOWING SYMBOL

EXTERIOR FINISH LEGEND

EXTERIOR BRICK MASONRY	BM-1	
EXTERIOR BRICK MASONRY	BM-2	
EXTERIOR FIBER CEMENT PANEL-0	PS	
EXTERIOR FIBER CEMENT PANEL-1	PP1	
EXTERIOR FIBER CEMENT PANEL-2	PP2	
EXTERIOR INSULATION FINISHING SYSTEM	EFS1	
EXTERIOR INSULATION FINISHING SYSTEM	EFS2	
METAL FLASHING-1	MF1	
PAINTED STEEL SHAPE	PSS	
FABRIC CANOPY	FC	

KEYED NOTES:

ajc architects

703 east 1700 south
 salt lake city, ut 84105
 ajcarchitects.com



ARCHITECT / CONSULTANT

AUTHORITY HAVING JURISDICTION
 PROJECT DESCRIPTION
HARRIS COMMUNITY VILLAGE

251 NORTH 1ST STREET
 TOOELE, UTAH 84074

SHEET NAME:
EXTERIOR ELEVATIONS

REVISIONS

MARK	DATE	DESCRIPTION
2	02/04/22	ADDENDUM 01 - PERMIT REVIEW
3	03/18/22	ADDENDUM 02 - PERMIT REVIEW 2

ISSUE DATE: **09/27/22**
 ISSUE TYPE: **CONFORMED SET**
 DRAWN BY: **DA**
 CHECKED BY: **K. RIGBY**
 PROJECT#: **2021.12**

SHEET NUMBER:

A201

STAFF REPORT

October 31, 2022

To: Tooele City Planning Commission
Business Date: November 9, 2022

From: Planning Division
Community Development Department

Prepared By: Andrew Aagard City Planner / Zoning Administrator

Re: Madd Auto, LLC – Conditional Use Permit Request

Application No.: P22-1211
Applicant: Andrew Maddocks
Project Location: 7 South Main Street
Zoning: GC General Commercial Zone
Acreage: .25 Acres (Approximately 10,890 ft²)
Request: Request for approval of a Conditional Use Permit in the GC General Commercial zone regarding authorizing the use of “Automobile Sales and Rental” to occur in an existing structure.

BACKGROUND

This application is a request for approval of a Conditional Use Permit for approximately .25 acres located at 7 South Main Street. The property is currently zoned GC General Commercial. The applicant is requesting that a Conditional Use Permit be approved to allow the use of “Automobile Sales and Rental” to occur at the existing building.

ANALYSIS

General Plan and Zoning. The Land Use Map of the General Plan calls for the Community Commercial land use designation for the subject property. The property has been assigned the GC General Commercial zoning classification. The subject property is surrounded by commercial properties and structures and everything in the area is zoned GC General Commercial. Mapping pertinent to the subject request can be found in Exhibit “A” to this report.

In order to conduct an authorized and licensed automobile dealership the applicant must satisfy minimum requirements issued by the State of Utah. Some of those requirements involve the applicant having an office space along with parking spaces dedicated to vehicular display and so forth. The proposed dealership will occupy one small office inside of the existing building and will utilize three parking stalls in the existing parking lot east of the building.

Site Plan Layout. This is an existing site and everything has been constructed or is in place. The aerial maps satisfy the site plan and demonstrate site conditions.

Parking. There are approximately 50 parking stalls located in the parking lot east of the building. The proposed dealership will occupy at a maximum 3 of those parking stalls. This parking area is established for the businesses that front onto Main Street. Staff has not been provided any information regarding the parking requirement as square footages and uses have not been provided. Staff does not anticipate that a small dealership of this kind will cause any parking problems but staff also cannot confirm the parking requirement without information regarding the other uses in the buildings and square footages of those uses.

It should also be noted that there is nothing in the Conditional Use Permit that would prohibit the dealership from growing, displaying and selling more vehicles or generating more business. Thus far the applicant is proposing just three parking stalls with most of the vehicles being bought and shipped through online transactions with very little activity occurring at the site. A letter from the applicant has been provided.

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

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

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

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

1. The applicant has stated that the intent under this proposed Conditional Use Permit is to set up a small automobile sales dealership and is required by the State of Utah to have an office and location to display vehicles. The applicant will need to maintain a business license and State dealership license to keep the dealership legal.

REVIEWS

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

1. The dealership being mostly online sales will generate very little (if any) activity at the site. Unless the applicant starts displaying and selling numerous vehicles on the site, staff cannot identify any problems that may result from the approval of this Conditional Use Permit.

Engineering and Public Works Review. The Tooele City Engineering and Public Works Divisions have not issued any comments regarding the 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 with the following comment:

1. The small size of the proposed dealership business does not result in any concerns for parking, emergency vehicle access to building and other businesses, etc.

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 Andrew Maddocks, application number P22-1211, subject to the following conditions:

1. That the applicant shall maintain an active dealership license issued by the State of Utah and maintain an active business license issued by Tooele City.

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 Andrew Maddocks, to authorize the use of “Automobile Sales and Rental” to occur at 7 South Main Street, application number P22-1211, based on the findings and subject to the conditions listed in the Staff Report dated October 31, 2022:”

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

Sample Motion for Denial – “I move we deny the Conditional Use Permit Request by Andrew Maddocks, to authorize the use of “Automobile Sales and Rental” to occur at 7 South Main Street, application number P22-1211, based on the following findings:”

1. List findings of fact ...

EXHIBIT A

**MAPPING PERTINENT TO THE
MADD AUTO, LLC CONDITIONAL USE PERMIT**

Madd Auto Conditional Use



Aerial View

Madd Auto Conditional Use



Current Zoning

EXHIBIT B

APPLICANT SUBMITTED INFORMATION

Conditional Use Permit Application

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



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

22-1211

Project Information					
Date of Submission: 10/21/2022		Current Zoning:		Parcel #(s): 02-027-0-0011	
Project Name: Madd Auto LLC Auto & RV dealership				Acres: 0.25	
Project Address: 7 South Main Ste 304 Tooele, UT, 84074				Units:	
Project Description: Andrew Maddocks, owner of Madd Auto LLC Plans to use an office space to run a RV and Auto dealership. Following all State laws.					
Current Use of Property: Office spaces.					
Property Owner(s): Tooele County			Applicant(s): Andrew Maddocks		
Address: 7 South Main Street			Address: 805 N 560 E		
City: Tooele	State: UT	Zip: 84074	City: Tooele	State: UT	Zip: 84074
Phone: 435-843-3150			Phone: 385-529-9076		
Contact Person: Kyle Pressley			Address:		
Phone: 435-843-3150			City:	State:	Zip:
Cellular: 385-529-9076	Fax:		Email: Andrew.Madd@icloud.com		
Signature of Applicant:					
Date: 10/20/22					

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

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

For Office Use Only			
Fee: \$600.00 (213)	Received By:	Date Received: 10/21/22	Receipt #: 00515048

2221225

Conditional Use Permit

Project name:Madd Auto

Applicant: Andrew Maddocks

Address: 7 south main suite 304 tooele utah 84074

Madd Auto would like to use this address as a dealership. Requirements for a dealership are three parking spaces and an office space where files can be locked. These are all the requirements to be a dealership in Utah.

Madd Auto specializes in finding the right vehicle for customers nationwide. Most of the time the vehicle never makes it to the dealership location it is just shipped directly to the buyer from where it was bought. The office space will be used for filing paperwork. And the parking spaces will rarely ever be occupied. We predict if a customer does come to our place of business they enter through vine st, park their vehicle and proceed to the office space.

Thank you for your consideration.

Sincerely, Andrew Maddocks

STAFF REPORT

November 2, 2022

To: Tooele City Planning Commission
Business Date: November 9, 2022

From: Planning Division
Community Development Department

Prepared By: Andrew Aagard City Planner / Zoning Administrator

Re: Honey-Dew Daycare – Conditional Use Permit Request

Application No.: P22-1181
Applicant: Alyssa Valenzuela
Project Location: 981 Morning Lane
Zoning: R1-7 Residential Zone
Acreage: .22 Acres (Approximately 9,583 ft²)
Request: Request for approval of a Conditional Use Permit in the R1-7 Residential zone regarding authorizing a child pre-school business involving the care of 8 to 16 children and one non-resident employee.

BACKGROUND

This application is a request for approval of a Conditional Use Permit for approximately .22 acres located at 981 Morning Lane. The property is currently zoned R1-7 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 as well as one non-resident employee to assist in caring for the children.

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 R1-7 Residential zoning classification. All properties surrounding the subject property are zoned R1-7 Residential and are 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 child daycares 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 child daycare involving the care and instruction of up to 16 children. As a child daycare the business will not have organized instructional sessions and parents and guardians will drop off their children and pick up their children as their schedule dictates. It is anticipated that as a daycare instead of a pre-school that drop off and pick up times will be scattered and will reduce the amount of vehicle queuing that can often occur with a session oriented pre-school.

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

The applicant has indicated that there will be one employee who does not live in the home at 981 Morning Lane. This is permissible in Tooele City’s home occupation ordinance, however, the number of non-resident employees is limited to just one. The business cannot expand beyond 16 children and 1 non-resident employee so the applicant is maxing out what can be done in the home for child daycare businesses.

It should also be noted that the State of Utah does regulate child care businesses and the applicant will be subject

to State requirements for safety measures in the home, fenced play areas and other licensing requirements.

Parking. It is common for home-based child daycare and pre-school businesses to generate some traffic. Some of those who utilize the services provided by the applicant will live in the area and be able to walk their children to the home, however, it should be anticipated that many, if not most of the clients will be driving to the site. As explained above a daycare is different from a pre-school in that there are not organized sessions. A pre-school may have a session beginning at 11:00 and ending at 1:00 and thus would generate some vehicle queuing at these times. A daycare is not session oriented as parents / guardians drop off and pick up their children as their schedule allows. The applicant has provided an aerial photograph of her property and has color coded areas that can be used for parking. The green area in the driveway is where she proposes clients to park while exchanging their children with the care giver. Staff should also clarify that there is nearly 150 feet of public street frontage that could accommodate parking without blocking driveways or obstructing corner views. Staff is confident the day care business can accommodate client parking during child exchange with minimal conflict with the neighboring property owners or without disrupting vehicle circulation in the area.

Fencing. There is fencing around the rear yard of the property. The south side of the property appears to be fenced with 6 foot solid vinyl fencing. The north side appears to have 6 foot chain link fencing. There is not a requirement for fencing in Tooele City's home occupation ordinance for daycares and pre-schools. However, the State of Utah may have their own requirements for fencing and would enforce such a requirement.

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 that customers will park on the public street when exchanging their children with the care givers. Although this is not prohibited it is encouraged for the safety of those dropping off the children and those utilizing the streets that the applicant require her clients to park in the driveway when a driveway space is available.

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 to mitigate the anticipated detrimental effects identified in the finds of fact:

1. The applicant require her clients to park in the driveway when a driveway space is available when exchanging their children with the care givers. Parking on the public street should only occur when the driveway is full.

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 Alyssa Valenzuela, application number P22-1181, subject to the following conditions:

1. That all requirements of the Tooele City Engineering Division shall be satisfied throughout the development of the site and the construction of all buildings on the site, including permitting.
2. That all requirements of the Tooele City Public Works Development shall be satisfied throughout the development of the site and the construction of all buildings on the site, including permitting.
3. That all requirements of the Tooele City Building Division shall be satisfied throughout the development of the site and the construction of all buildings on the site, including permitting.
4. That all requirements of the Tooele City Fire Department shall be satisfied throughout the development of the site and the construction of all buildings on the site.
5. That all requirements of the geotechnical report shall be satisfied throughout the development of the site and the construction of all buildings on the site.
6. That the applicant require her clients to park in the driveway when a driveway space is available when exchanging their children with the care givers. Parking on the public street should only occur when the driveway is full.

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 Alyssa Valenzuela, to authorize a child daycare business involving 8 to 16 children at the home located at 981 Morning Lane, application number P22-1181, based on the findings and subject to the conditions listed in the Staff Report dated November 2, 2022:”

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

Sample Motion for Denial – “I move we deny the Conditional Use Permit Request by Alyssa Valenzuela, to authorize a child daycare business involving 8 to 16 children at the home located at 981 Morning Lane, application number P22-1181, based on the following findings:”

1. List findings of fact ...

EXHIBIT A

**MAPPING PERTINENT TO THE
HONEY-DEW DAYCARE CONDITIONAL USE PERMIT**

Honey-Dew Daycare Conditional Use



Aerial View

Honey-Dew Daycare Conditional Use



Current Zoning

EXHIBIT B

APPLICANT SUBMITTED INFORMATION

Conditional Use Permit Application

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



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

22-1181

Project Information					
Date of Submission:		Current Zoning: R17		Parcel #(s): 11-049-0-4036	
Project Name: Honey-Dew Daycare				Acres: 0.22	
Project Address: 981 morning LN Tooele UT 84074				Units:	
Project Description: To provide an affordable & safe daycare for parents to take their children while they attend work or personal errands.					
Current Use of Property: Residential / Home					
Property Owner(s): Payton Pickering			Applicant(s): Alyssa Valenzuela		
Address: 981 morning LN			Address: 981 morning LN		
City: Tooele	State: UT	Zip: 84074	City: Tooele	State: UT	Zip: 84074
Phone: 801-885-8001			Phone: 801-970-4155		
Contact Person: Alyssa Valenzuela			Address: 981 morning LN		
Phone: 801-970-4155			City: Tooele	State: UT	Zip: 84074
Cellular: 801-970-4155	Fax:		Email: alyssa.c.valenzuela@gmail.com		
Signature of Applicant: <i>Alyssa Valenzuela</i>					
Date: Oct. 8, 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			
2221193			
Fee: 150.00 (213)	Received By: Hunter	Date Received: 10/12/22	Receipt #: 512202

To whom it may concern; Honey-Dew Daycare will be open Monday, Tuesday, Wednesday, Thursday, and Friday from 6:00-6:00. With some exception to holidays that will be discussed upon meeting the parent and child/children. Honey-Dew Daycare will have up to 16 children at times with a non-related helper that does not live in the home. Thank you.

Alyssa Valenzuela

10/9/22



Honey-Dew Daycare

Blue: Property line

Green: Off street parking and unloading

Yellow: driveway

Red: pedestrian walkway

Purple: landscaping



W 960 S

W 960 S

W 960 S

Morning Ln

Morning Ln

Morning Ln

South

West Dr

742

728

718

698

682

743

966

705

681

978

691

992

993

1002

976

1012

999

986

1007

996

81

STAFF REPORT

November 3, 2022

To: Tooele City Planning Commission
Business Date: November 9, 2022

From: Planning Division
Community Development Department

Prepared By: Andrew Aagard, City Planner / Zoning Administrator

Re: Holiday Oil – Land Use Map Amendment Request

Application No.: P22-1237
Applicant: Brent Neel, representing Wagstaff Invesments, LLC
Project Location: Approximately 1000 North Franks Drive
Zoning: MR-16 Multi-Famliy Residential Zone
Acreage: Approximately 2 Acres (Approximately 87,120 ft²)
Request: Request for approval of a Land Use Map Amendment in the MR-16 Multi-Family Residential zone regarding re-assigning the land use designation for approximately 2 acres to Regional Commercial.

BACKGROUND

This application is a request for approval of a Land Use Map Amendment for approximately 2 acres located at the north east corner of the intersection of 1000 North Franks Drive (600 West at the intersection). The property is currently zoned MR-16 Multi-Family Residential. The applicant is requesting that a Land Use Map Amendment be approved to re-assign the land use designation from High Density Residential (HDR) to Regional Commercial (RC) to facilitate a zoning map amendment to a commercial zone that would permit the construction of a convenience store and gas station.

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. Properties located to the north and to the east are currently zoned MR-16. Properties to the west are zoned NC Neighborhood Commercial. Properties to the south are zoned GC General Commercial. Mapping pertinent to the subject request can be found in Exhibit “A” to this report.

The applicant is requesting that 2 acres located at the north east corner of the intersection of Franks Drive and 1000 North be re-assigned from the HDR land use designation to the RC land use designation. This request is to facilitate the construction of a convenience store and gas station at the corner which requires a commercial zone in order to be permitted. The current land use designation of HDR encourages or requires multi-family residential zones. The HDR designation includes the MR-8, MR-12, MR-16 and MR-20 multi-family residential zones. These zones permit only multi-family residential structures such as town homes, condominiums and apartments. These zones do not permit commercial development.

The RC land use designation is a regional commercial land use designation and encourages or requires the

RC Regional Commercial zoning district and the RD Research and Development zoning district. Within these commercial zoning districts a convenience store with gasoline sales is permitted with a conditional use permit. Residential uses are not permitted within this zone.

It should be noted that this corner was previously zoned NC Neighborhood Commercial. The zoning was changed late 2019 to multi-family residential. The majority of that property will remain as multi-family residential.

There is a gateway overlay attached to this property. This overlay has no bearing on land use or zoning and only affects site plan, landscaping, streetscape appeal and architecture. When zoning or land use is involved the overlay is irrelevant.

Site Plan Layout. A site plan has not been provided at this stage in the development process.

Subdivision Layout. The two acre property will eventually need to be subdivided from the larger property.

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

- (1) In considering a proposed amendment to the Tooele City General Plan, the applicant shall identify, and the City Staff, Planning Commission, and City Council may consider, the following factors, among others:
 - (a) The effect of the proposed amendment on the character of the surrounding area;
 - (b) Consistency with the General Plan Land Use Map and the goals and policies of the General Plan and its separate elements;
 - (c) Consistency and compatibility with the existing uses of adjacent and nearby properties;
 - (d) Consistency and compatibility with the possible future uses of adjoining and nearby properties as identified by the General Plan;
 - (e) The suitability of the properties for the uses requested viz. a viz. the suitability of the properties for the uses identified by the General Plan; and
 - (f) The overall community benefit of the proposed amendment.

REVIEWS

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

1. This is a significant intersection and an ideal location for a convenience store and gas station.

Engineering and Public Works Division Review. The Tooele City Engineering and Public Works Divisions do not typically review Land Use Map amendment and therefore have not issued any comments regarding this application.

Tooele City Fire Department Review. The Tooele City Fire Department do not typically review Land Use Map and Zoning Map amendments and therefore have not issued any comments regarding this application.

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

STAFF RECOMMENDATION

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

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

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

MODEL MOTIONS

Sample Motion for a Positive Recommendation – “I move we forward a positive recommendation to the City Council for the Holiday Oil Land Use Map Amendment Request by Brent Neel, representing Wagstaff Invesments, LLC reassigning 2 acres located at 1000 North Franks Drive to the Regional Commercial Land Use designation, application number P22-1237, based on the findings and subject to the conditions listed in the Staff Report dated November 3, 2022:”

1. List any additional findings and conditions...

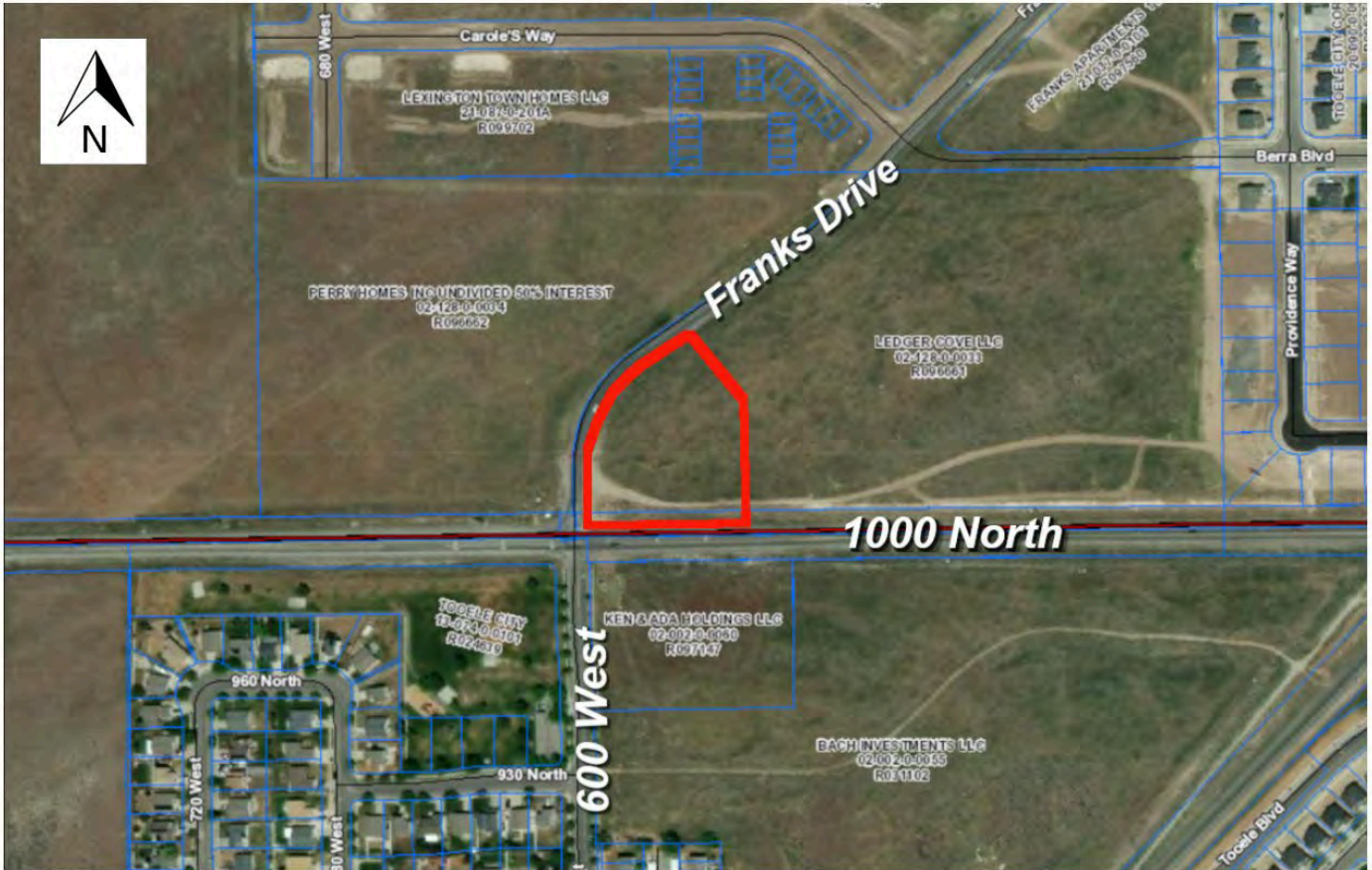
Sample Motion for a Negative Recommendation – “I move we forward a positive recommendation to the City Council for the Holiday Oil Land Use Map Amendment Request by Brent Neel, representing Wagstaff Invesments, LLC reassigning 2 acres located at 1000 North Franks Drive to the Regional Commercial Land Use designation, application number P22-1237, based on the following findings:”

1. List findings...

EXHIBIT A

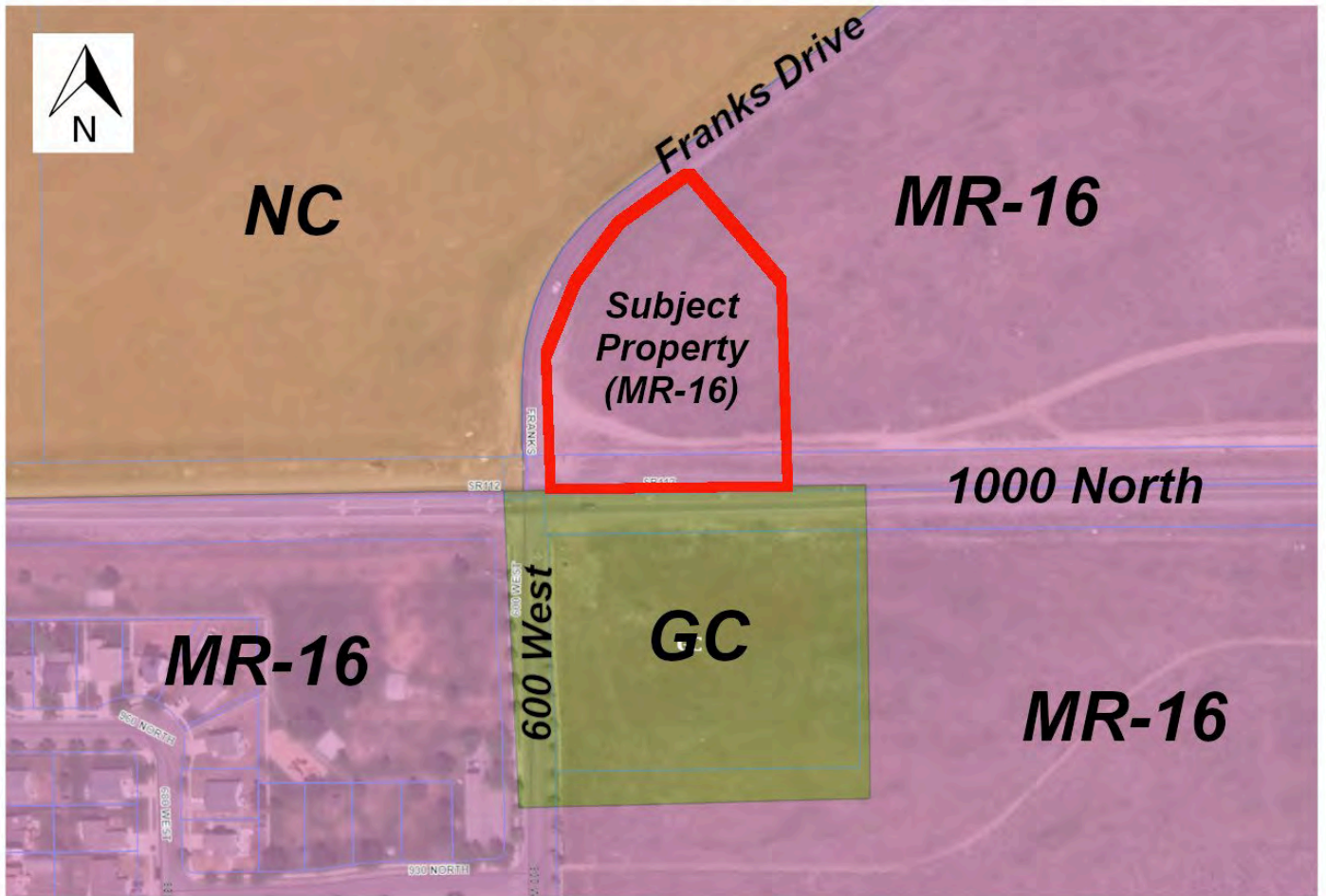
MAPPING PERTINENT TO THE HOLIDAY OIL LAND USE MAP AMENDMENT

Holiday Oil Land Use Map Amendment



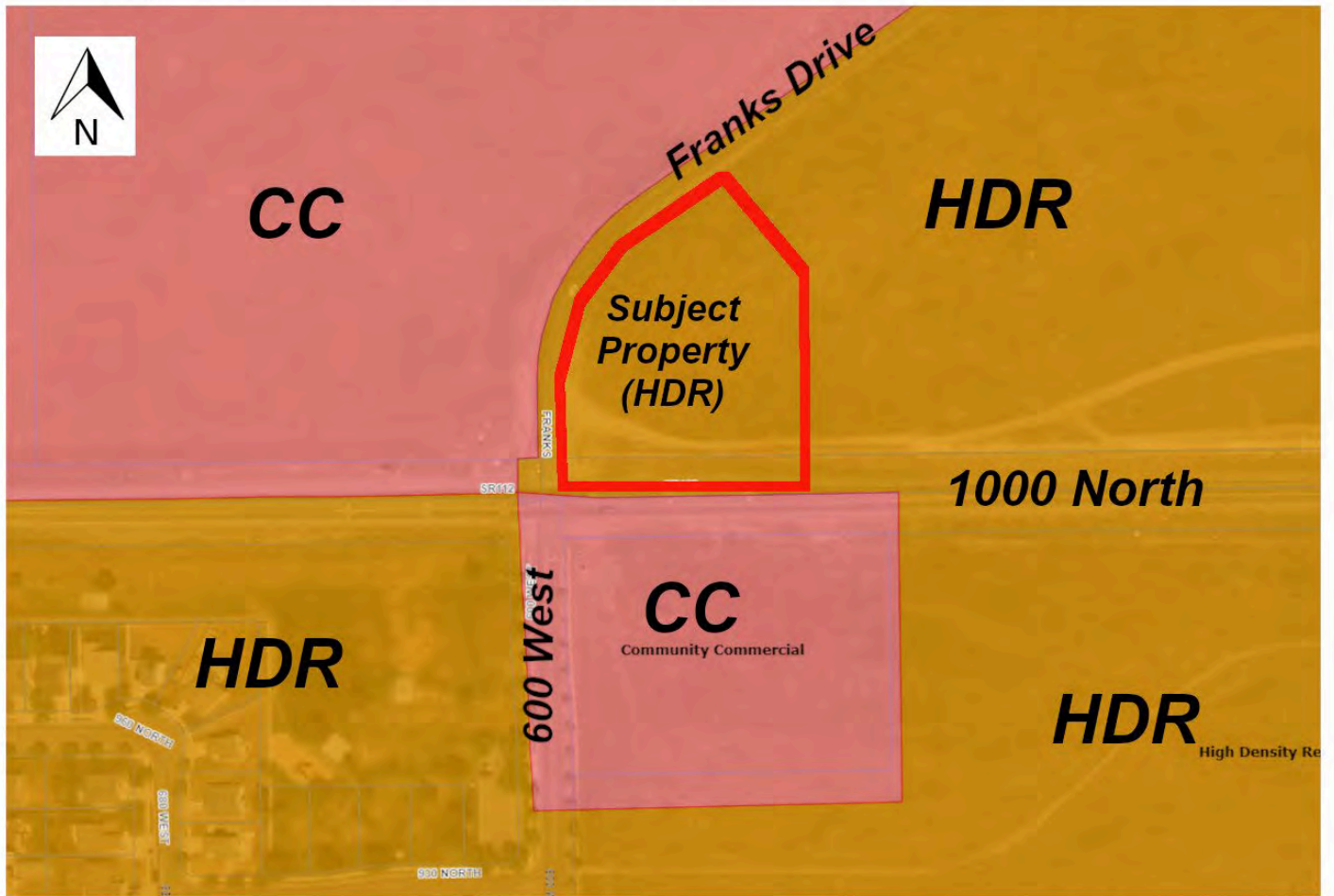
Aerial View

Holiday Oil Land Use Map Amendment



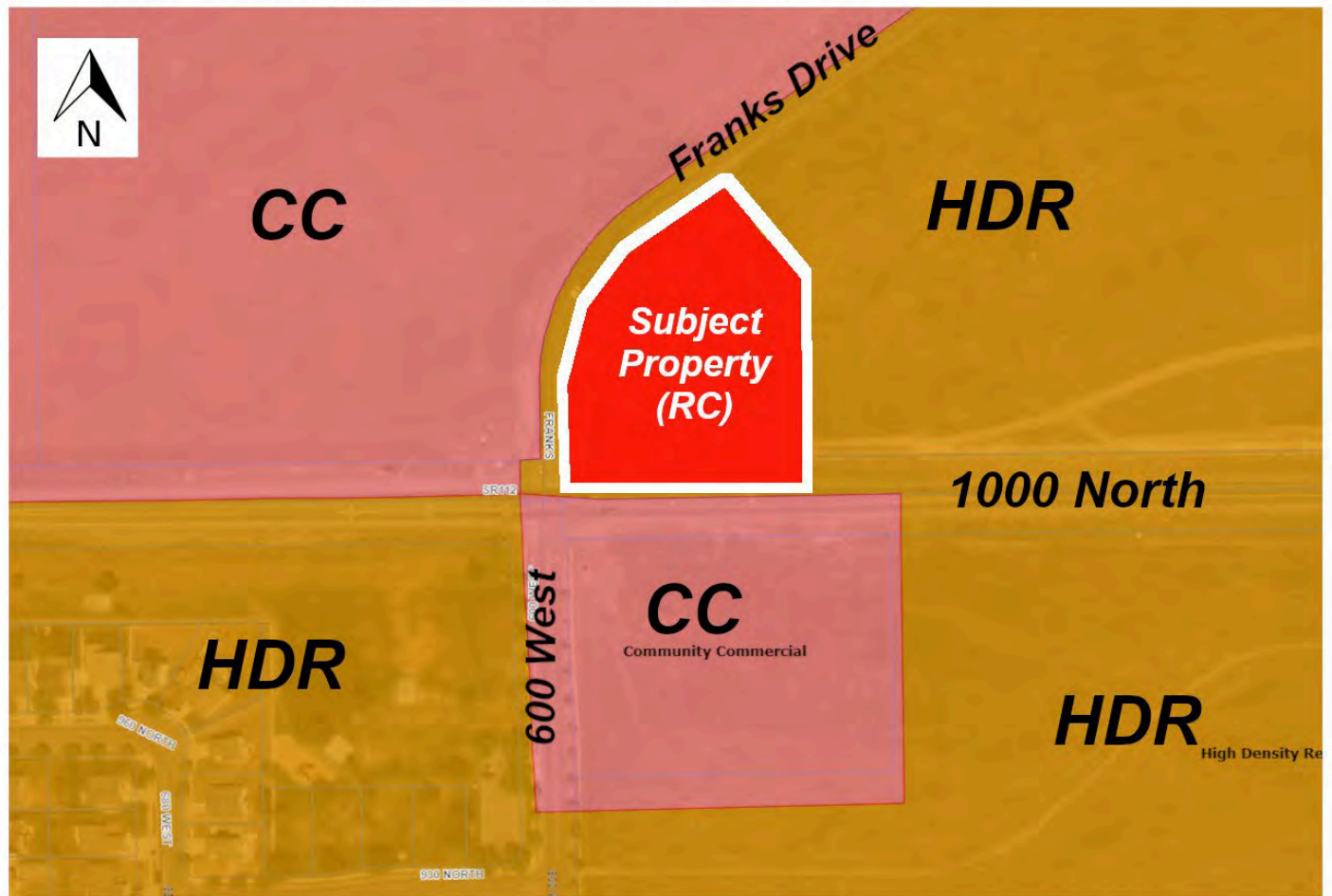
Current Zoning

Holiday Oil Land Use Map Amendment



Current Land Use

Holiday Oil Land Use Map Amendment



Proposed Land Use

EXHIBIT B

APPLICANT SUBMITTED INFORMATION

Zoning, General Plan, & Master Plan

Map Amendment Application

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



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

Project Information				22-1237	
Date of Submission:	Current Map Designation: <i>Multi-Family</i>	Proposed Map Designation: <i>Regional Commercial</i>	Parcel #(s): <i>02-128-0-0033</i>		
Project Name: <i>Holiday Oil</i>	Project Address: <i>NE CORNER OF FRANKS DRIVE / 1000 NORTH</i>			Acres: <i>2 ACRES</i>	
Proposed for Amendment: <input type="checkbox"/> Ordinance <input checked="" type="checkbox"/> General Plan <input type="checkbox"/> Master Plan: _____					
Brief Project Summary: <i>The purpose of this application is to amend the land use map of the General Plan to Regional Commercial for approx 2 acres of subject property</i>					
Property Owner(s): <i>Ledger Grove LLC</i>			Applicant(s): <i>Wagstaff Investments, LLC</i>		
Address: <i>PO Box 95410</i>			Address: <i>3115 W. 2100 S.</i>		
City: <i>South Jordan</i>	State: <i>UT</i>	Zip: <i>84095</i>	City: <i>West Valley</i>	State: <i>UT</i>	Zip: <i>84119</i>
Phone: <i>801-706-6725</i>			Phone: <i>801-687-0842</i>		
Contact Person: <i>Brent Neal</i>			Address: <i>3115 W. 2100 S.</i>		
Phone: <i>801-687-0842</i>			City: <i>West Valley</i>	State: <i>UT</i>	Zip: <i>84119</i>
Cellular: <i>801-687-0842</i>	Fax: _____	Email: <i>brent@wagstaffinvestments.com</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.

Note to Applicant:

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

For Office Use Only				2221237	
Received By: <i>[Signature]</i>	Date Received: <i>10/21/22</i>	Fees: <i>\$1,100.00</i>	App. #:	<i>00515358</i>	



Pierre River

N Franks Dr

N Franks Dr

HOLIDAY OIL
TANK
LAW

112

W 1000 N

W 1000 N

600 W

Future home of Tooele Gymnastics Academy

Gleneagles Park

From: [Ron Christian Hidalgo](#)
To: [Planning Commision Public Comment](#)
Subject: Comments for Public Hearing scheduled for November 9, 2022 at 7:00pm for the Overlake neighborhood.
Date: Wednesday, November 2, 2022 11:26:27 AM

Hello,

This is concerning the change request of the northeast corner of 1000 N and Franks Drive from High Density Residential to Regional Commercial.

My decision to be "for" or "against" this change is highly dependent on whether that intersection will be improved for the flow of traffic (ie; widening the intersection with more lanes and adding traffic lights for traffic control) and also what exactly is going to be built in that corner.

Will the building being planned for that corner be useful for the residence in the area like a convenience store, another gas station, a multi-unit commercial area for stores, cafés, and/or restaurants? Or will it be something like a warehouse that isn't really useful for the residents in the area?

Best regards,

Ron Christian Hidalgo
Email:
Mobile:

From: [Robb Kaczmarek](#)
To: [Planning Commision Public Comment](#)
Subject: RE: November 9, 2022 Public Hearing - Land Use Map Amendment request by Wagstaff Investments LLC
Date: Thursday, November 3, 2022 5:56:31 PM

Tooele City,

RE: November 9, 2022 Public Hearing - Land Use Map Amendment request by Wagstaff Investments LLC on NE corner of Franks Drive and 1000 North

Comments:

- The addition of buildings on the corner of Franks Dr. and 1000 North will continue to add to the traffic complexity of that intersection.

-That intersection is already difficult and unsafe especially for southbound traffic on Franks Drive attempting to turn east onto 1000 North with 60+mph oncoming traffic from both directions.

- Similar difficulties are experienced for north bound traffic on 600 W merging onto 1000 N or continuing north to Franks Drive.

-Additionally, there is not a separate right hand turn lane for westbound traffic on 1000 N turning right(north) onto Franks Drive.

- A traffic light is needed.

- Will there be an entry/exit to/from 1000 North onto the proposed Regional Commercial development?

- Is a traffic light being proposed for this intersection?

- Will buildings on this corner create blind spots for southbound Franks Drive traffic attempting to get on eastbound 1000 N if there is no traffic light?

Robb Kaczmarek
1111 N. Providence Way.
Tooele, UT

STAFF REPORT
November 3, 2022

To: Tooele City Planning Commission
Business Date: November 9, 2022

From: Planning Division
Community Development Department

Prepared By: Jim Bolser, Director

Re: Residential Treatment Facilities and Programs – City Code Text Amendment Request

Application No.: P22-1178
Applicant: Tooele City
Request: Request for approval of a City Code Text Amendment regarding the permissibility of Residential Treatment Facilities and Programs in the MU-G Mixed Use General zoning district.

BACKGROUND

This application is a request for approval of a City Code Text Amendment regarding the permissibility of an existing land use category. More specifically, this application addresses the Residential Treatment Facilities and Programs and the permissibility in the MU-G Mixed Use – General zoning district.

ANALYSIS

City Code. Chapter 7-16 of the Tooele City Code governs the uses and various other provisions for the various not-residential zoning districts, including mixed-use zones. Similarly, Chapter 7-14 does the same for the residential zoning districts. Table 1 in each of these chapters contains a listing of all the various land use categories that are permissible in any of the zones covered respectively. One land use listing in Chapter 7-14 is titled Residential Treatment Facilities and Programs. That land use is not identified at all in Chapter 7-16 indicating that it is not permissible in any of the non-residential zoning districts. Atypical to the vast majority of land use listings in these chapters, Residential Treatment Facilities and Programs is not a defined land use within the Tooele City Code. The reason for this is because this land use, which is a combination of two associated uses, is defined in and controlled Utah State Code. Rather than redefine this use in the City Code, the City has appropriately chosen to allow the state code definition govern the use. Definition excerpts from the Utah State Code can be found in Exhibit “A” to this report.

The nature of a Residential Treatment Facilities and Programs use is somewhat unique in terms of identifying it as either residential or non-residential in nature. The base nature of the use is the provision of services to clients in need of these specialty facilities and programs. This would suggest it to be clearly non-residential in nature. However, the method by which these services and programs are provided include temporary or transitional housing for the clients and often appear similar to multi-family residential uses which would suggest the use to be residential as well. This combination of considerations place an interesting and unique challenge on communities to define where these uses should best be allowed. Somewhat ironically, it also provides some fairly clear guidance. Communities, such as Tooele City, which have true mixed-use zoning districts actually provide one of the best landing spots for such uses where the inherent nature of the use category is a combination of residential and non-residential characteristics. For this reason, combined with

recent conversations with an existing facility within the community desiring to relocate and expand into an existing building, this application proposes to establish permissibility for the existing Residential Treatment Facilities and Programs land use into the MU-G Mixed-Use – General zoning district. The proposed language to include this land use listing into Table 1 of Chapter 7-16 of the Tooele City Code can be found in Exhibit “A” to this report. A map of the MU-G Mixed-Use – General zoning district can be found in Exhibit “B” to this report.

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

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

REVIEWS

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

1. The nature of the Residential Treatment Facilities and Programs land use makes sense within the MU-G Mixed-Use – General zoning district.

Engineering Review. The Tooele City Engineering Division has completed their review of the City Code Text Amendment request without further comment.

Building Division Review. The Tooele City Building Division has completed their review of the City Code Text Amendment request without further comment.

without further comment

Tooele City Fire Department Review. The Tooele City Fire Department has completed their review of the City Code Text Amendment request without further comment.

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

STAFF RECOMMENDATION

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

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

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

MODEL MOTIONS

Sample Motion for a Positive Recommendation – “I move we forward a positive recommendation to the City Council for the Residential Treatment Facilities and Programs City Code Text Amendment Request by Tooele City regarding the Residential Treatment Facilities and Programs land use, application number P22-1178, based on the following findings:”

1. List findings ...

Sample Motion for a Negative Recommendation – “I move we forward a negative recommendation to the City Council for the Residential Treatment Facilities and Programs City Code Text Amendment Request by Tooele City regarding the Residential Treatment Facilities and Programs land use, application number P22-1178, based on the following findings:”

1. List findings ...

EXHIBIT A

RESIDENTIAL TREATMENT FACILITIES AND PROGRAMS CITY CODE TEXT AMENDMENT

UTAH CODE

Title 62A. Utah Human Services Code
Chapter 2. Licensure of Programs and Facilities

62A-2-101. Definitions.

- (41) (a) "Residential treatment" means a 24-hour group living environment for four or more individuals unrelated to the owner or provider that offers room or board and specialized treatment, behavior modification, rehabilitation, discipline, emotional growth, or habilitation services for persons with emotional, psychological, developmental, or behavioral dysfunctions, impairments, or chemical dependencies.
- (b) "Residential treatment" does not include a:
 - (i) boarding school;
 - (ii) foster home; or
 - (iii) recovery residence.
- (42) "Residential treatment program" means a program or facility that provides:
 - (a) residential treatment; or
 - (b) intermediate secure treatment.

TOOELE CITY CODE

Chapter 16. Zoning District Purpose and Intent. Mixed Use, Commercial, Industrial and Special Purpose Districts

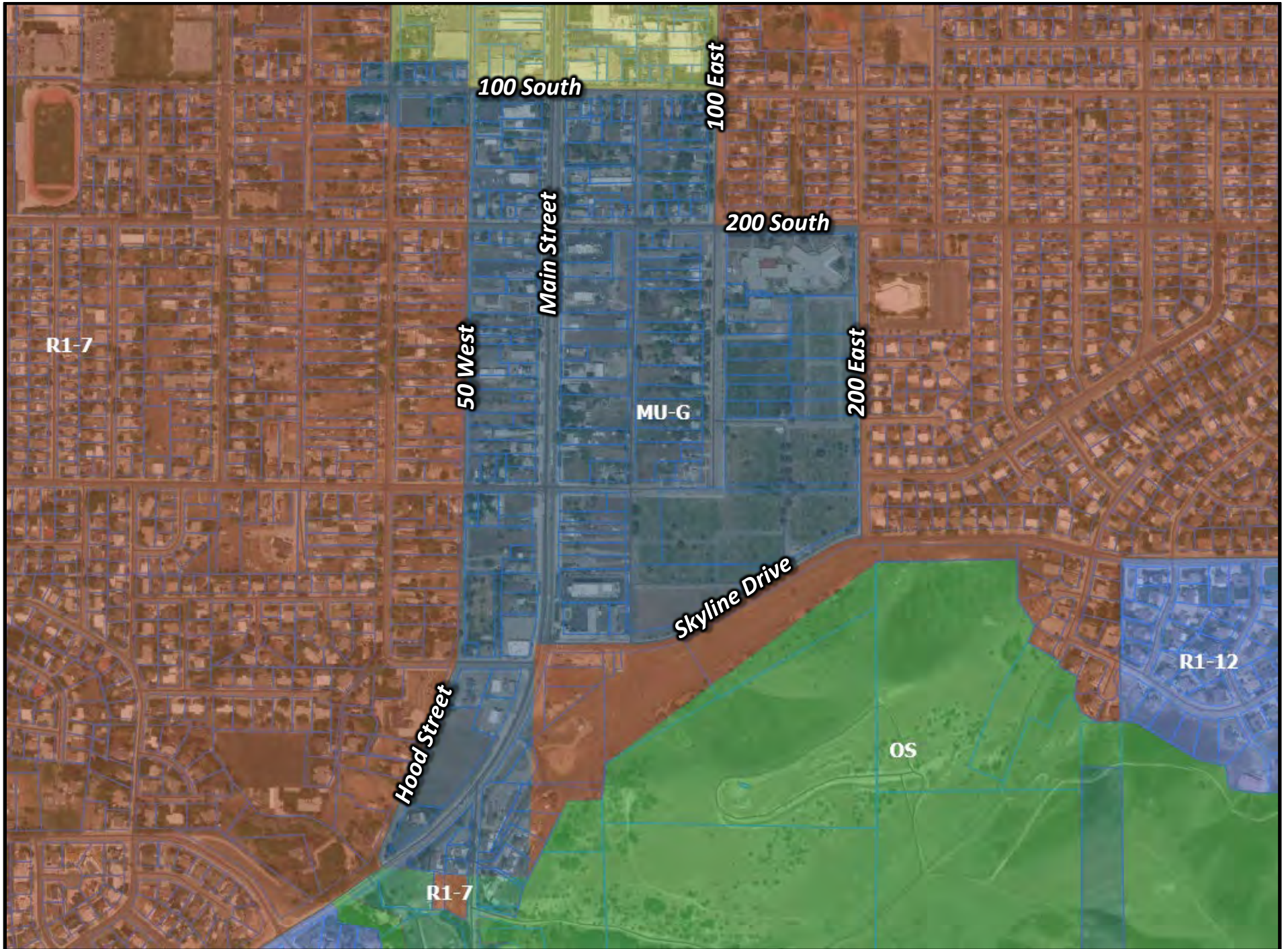
**TABLE 1
TABLE OF USES**

DEVELOPMENT REQUIREMENT	DISTRICT								
	Mixed Use - Broadway (MU-B)	Mixed Use - General (MU-G)	Neighborhood Commercial (NC)	General Commercial (GC)	Regional Commercial (RC)	Light Industrial (LI)	Industrial Service (IS)	Industrial (I)	Research & Development (RD)
<i>Residential Treatment Facilities and Programs</i>		C							

EXHIBIT B

MAP OF THE MU-G MIXED-USED – GENERAL ZONING DISTRICT

MU-G Mixed Use – General Zoning District



Zoning Map

**Tooele City Planning Commission
Business Meeting Minutes**

Date: Wednesday, October 26, 2022

Time: 7:00 p.m.

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

Commission Members Present:

Melanie Hammer
Paul Smith
Tyson Hamilton
Weston Jensen
Chris Sloan
Melodi Gochis
Jon Proctor

Commission Members Excused:

Matt Robinson
Alison Dunn

City Council Members Present:

Maresa Manzione

City Employees Present:

Andrew Agard, City Planner
Jim Bolser, Community Development Director
Paul Hansen, City Engineer

Minutes prepared by Katherin Yei

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

1. Pledge of Allegiance

The Pledge of Allegiance was led by Commissioner Hamilton.

2. Roll Call

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

Alison Dunn, Excused

3. Public Hearing and Decision on a Conditional Use Permit Request by Cristian Martinez for a “Dwelling, Multi-Family” Use at 432 South Main Street in the MU-G Mixed Use General Zoning District on 1.33 Acres.

Mr. Aagard presented information on the parcel near 50 west and main street. The property is zoned M-UG, Mixed Use General. The applicant wishes to construct multi-family apartments. This is allowed with a Conditional Use Permit. A site plan application has been submitted and is being reviewed by staff. Staff has not received any documentation from UDOT regarding the State road near the potential development. Staff is recommending approval with the conditions listed in the staff report.

The Planning Commission had the following question:

What does the City code require on fencing?

Will they be required to make improvements to 50 West?

What is required to be asphalt?

If UDOT does not approve the request, would the City still approve the project?

Has there been a fire report done?

Can the City require the applicant to improve 50 West as a part of the Conditional Use Permit?

Are there any requirements for fire access or snow removal?

Mr. Aagard addressed the Planning Commission. The language in the code has been reviewed. The code states it depends on the zone and location for improvements. There is not a requirement to improve 50 West. If the applicant desires to make improvements, they can.

The public hearing was opened.

Brent Larson shared concerns about traffic, water run-off, flooding, and privacy.

Carol Leatham shared concerns on water-run off.

Zach Saint-Claire shared concerns on the amount of people in the area, traffic, privacy

The public hearing was closed.

Mr. Hansen addressed the Commission. The site plan is under review. The requirement is to retain all water on site. 50 West is a City road. Improvements would need to be done by the City. They do require information and approval from UDOT.

Mr. Bolser addressed the Commission. They would have to have a nuisance or hazard with evidence. The City cannot deny a Conditional Use Permit, unless there is an issue that cannot be mitigated. There is a standard for building height in the ordinance, the Commission cannot propose that as a nuisance. There are standards for 50 West, requires the dedication of right-of way without the requirement of improvements.

Commissioner Smith motioned to table this item until the applicant can be present and a UDOT study be present. Commissioner Hamilton seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”, Commissioner Proctor, “Aye”, Commissioner Sloan, “Aye” Commissioner Smith, “Aye” Commissioner Hamilton, “Aye”, Commissioner Jensen, “Aye”, and Commissioner Gochis, “Aye”. The motion passed.

4. Public Hearing and Decision on a Conditional Use Permit Request by Kishka Erikson for an “Automobile Sales and Rental” Use at 494 South Main Street in the MU-G Mixed Use General Zoning District on 0.82 Acres

Mr. Aagard presented information on a Conditional Use Permit for an automobile sales and rental dealership. The property is the old restaurant at 494 south main street. The property is zoned M-UG, Mixed Use General. The zone does allow the use of automobile dealership with a Conditional Use Permit. The office space is in the southwest area of the building. The parking stalls will be separate from the day care area. Most of the business will be done online. Staff is recommending approval with the conditions listed in the staff report.

The Planning Commission had the following questions and concerns:

Is there a separate entrance from the daycare into the office space?

The security of not having a separate entrance is an issue for the daycare.

Is the business State Licensed?

A concern is that additional employees or additional items can be added later.

If the only access is cut off for the automobile business, does that cause issues for the daycare?

Mr. Aagard addressed the Planning Commission. A floor plan has been provided, but is unaware if there is another entrance.

Kishka Erikson addressed the Commission. The use of the building is just for the office space. The door near the kitchen could be used if there is in-person business. The idea is that the office space is only for her husband. The State requires the office to be separate from the daycare. There is a total of three doors to the building, still allowing plenty of access.

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

Commissioner Sloan motioned to approve a Conditional Use Permit Request by Kishka Erikson for an “Automobile Sales and Rental” Use at 494 South Main Street in the MU-G Mixed Use General Zoning District on 0.82 Acres based on the findings subject to the conditions and findings listed in the staff report and include the condition the outside entrances to the automobile business be secured so there is no entrance to the daycare.

Commissioner Hammer seconded the motion. The vote was as follows:

Commissioner Hammer, “Aye”, Commissioner Proctor, “Aye”, Commissioner Sloan, “Aye” Commissioner Smith, “Aye” Commissioner Hamilton, “Aye”, Commissioner Jensen, “Aye”, and Commissioner Gochis, “Aye”. The motion passed.

5. Decision on a Site Plan Design Review Request for the Villas at Sunset Estates Townhome Development by Hallmark Homes Located at the Northwest Corner of 2000 North Berra Boulevard on 4.6 acres in the MR-8 Multi-Family Residential Zoning District.

Mr. Aagard presented information a site plan review for the Villas at Sunset Estates Townhome. The property is zoned MR-8. The application proposes a townhome development, consisting of 36 townhomes connected to Berra Boulevard. All roads and storm basin will be maintained by the HOA. Driveways will allow up to four-vehicles, including the garage space. There are 41 guest parking stalls. 37% of the site will be landscape. The proposed townhomes have been reviewed for City requirements. Staff is recommending approval with the conditions listed in the staff report.

The Planning Commission had the following questions and concerns.

What is the cobble rock they are deciding on?

Will curb, gutter, and park strip be required?

Is there enough street parking?

There are concerns on the additional traffic on 2000 North and the cobblestone.

Mr. Aagard addressed the Planning Commission. The cobble rock is 4-6-inch rocks used for weed barrier. The applicant would need to maintain that area. Curb, gutter, and park strip will be required. There is nothing that will prohibit from people parking on the street. There is an amenity of open space in the site plan.

Mr. Hansen addressed the Commission. The street parking is prohibited near the round-about due to City Code. If it is an issue, they will paint red curb.

Commissioner Jensen motioned to approve a Site Plan Design Review Request for the Villas at Sunset Estates Townhome Development by Hallmark Homes Located at the Northwest Corner of 2000 North Berra Boulevard on 4.6 acres in the MR-8 Multi-Family Residential Zoning District based on the findings and subject to the conditions listed in the staff report. Commissioner Sloan seconded the motion. The vote was as follows:

Commissioner Hammer, “Aye”, Commissioner Proctor, “Aye”, Commissioner Sloan, “Aye”
Commissioner Smith, “Nay” Commissioner Hamilton, “Aye”, Commissioner Jensen, “Aye”, and
Commissioner Gochis, “Aye”. The motion passed.

6. Decision on a Site Plan Design Review Request for the Harris Community Village Multi-Family Residential Support Facility Development by AJC Architects located at 251 North First Street in the MR-8 Multi-Family Residential Zoning District on 9.3 Acres.

Mr. Aagard presented information a site plan review for the Harris Community Village. The property is zoned MR-8. It will house a community food pantry, daycare, housing, and other support programs. The review does not involve the CRC. The Tooele Housing Authority is proposing 66-unit support facility for community that is in need of longer support, located in the southwest property. The northern portion of the site will not be developed at this time. There is an exception to parking for this kind of structure with a requirement of 66 spots. There are 99 spots available. The site exceeds the 25% landscape requirement, including 132 new trees. The City is working with the applicant to bring the building into architecture standards. Staff has

identified other means to provide horizontal relief, including adding window coverings. There also needs to be additional vertical relief including the columns. The window requirement on front facade may have not been fully meant. There is a fencing requirement of solid 6-foot fencing with masonry on the South and West.

The Planning Commission had the following questions and concerns.

Does the height meet requirement?

Is there a reason they did not finish the trim on the windows?

Is the 6-foot fence required around the entire property?

A concern is the building does not look like a home, but more commercial feeling.

What does a Juliet balcony look like?

Mr. Aagard addressed the Planning Commission. The building is right under the 35 feet requirement. The fence is only required near single-family homes.

Justin addressed the Commission. The ordinance asked to look at historical buildings on the property. They looked to find ways to meet the spirit of the ordinance. The trim elements are represented by the large trim. They occur frequently at the pop outs and regularly spaced. They felt it met the intent of the Code. They felt the columns would not fit into the design. A Juliet balcony is implied but not functional.

DeAnn Christensen spoke regarding the safety of the residents.

Mr. Bolser clarified the purpose of the review is to establish if it meets the terms of the City Code. The unique nature of the use does create elements that are not congruent to what is the usual. Does the treatments and the features of the building meet the requirement of Code and standards?

It is clarified the Commission needs to discuss the trim on the windows, awnings, and the pillars.

This item was tabled because there needs to be clarification and consensus on the interpretation of the ordinance between staff and the application.

Commissioner Sloan motioned to table this item. Commissioner Hammer seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”, Commissioner Proctor, “Aye”, Commissioner Sloan, “Aye” Commissioner Smith, “Aye” Commissioner Hamilton, “Aye”, Commissioner Jensen, “Aye”, and Commissioner Gochis, “Aye”. The motion passed.

7. City Council Reports

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

The property on 1000 North bond has been paid off. Construction has been started on the area.

There is work that needs to be done on sidewalks, signs, and ADA areas within the City based on the study that had been done for the City.

A possible City Code text amendment regarding M-UG for residential areas needs to be redone.

8. Planning Commission Training on Commercial Zoning Principles.

The training has been postponed.

9. Review and Approval of Planning Commission Minutes for the Business Meeting Held on September 28, 2022.

There are no changes to the minutes.

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

10. Adjourn

Vice-Chairman Sloan adjourned the meeting at 8:24 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 November, 2022

Matt Robinson, Tooele City Planning Commission Chair