

**PUBLIC NOTICE**

NOTICE IS HEREBY GIVEN THAT the Tooele City Planning Commission will meet in a business meeting scheduled for **Wednesday, December 14, 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](https://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](mailto:pcpubliccomment@tooelecitey.org) anytime after the advertisement of this agenda and before the close of the hearing for that item during the meeting. Emails will only be read for public hearing items at the designated points in the meeting.*

**AGENDA**

1. **Pledge of Allegiance**
2. **Roll Call**
3. **Public Hearing and Decision** on a Conditional Use Permit Request by Tim Ryan Representing Bout Time Pub and Grub for a "Private Club / Bar" Use on Property Located at 615 North Main Street on 0.80 Acres in the GC General Commercial Zoning District.
4. **Public Hearing and Recommendation** on a Zoning Map Amendment Request by Wagstaff Investments, LLC to Re-Assign the Zoning for Approximately 2.0 Acres Located at the Northeast Corner of Franks Drive and 1000 North from the MR-16 Multi-Family Residential Zoning District to the RC Regional Commercial Zoning District.
5. **Public Hearing and Recommendation** on Ordinance 2022-40 An Ordinance of the Tooele City Council Amending Tooele City Code Section 7-1-5 and Chapter 7-15 Regarding Fair Housing and Residential Facilities for Persons with a Disability.
6. **Recommendation** on a Subdivision Plat Amendment Request by Cook Builders to Amend Lots 2, 3, and 4 of the Existing Oristruts Subdivision Amended Plat for Property Located at Approximately 600 East 2400 North Affecting 4.5 Acres in the GC General Commercial Zoning District.
7. **Decision** on a Site Plan Design Review Request by DR Horton for the Western Acres Phase 2A Townhome Development Located at Approximately 1800 North 300 East on Approximately 11.4 Acres in the MR-16 PUD Multi-Family Residential Zoning District.
8. **Recommendation** on a Preliminary Subdivision Plan Request by DR Horton for the Western Acres Phase 2A Subdivision Located at Approximately 1800 North 300 East on Approximately 11.4 Acres Creating 121 Residential Lots in the MR-16 PUD Multi-Family Residential Zoning District.
9. **Decision** on a Site Plan Design Review Request by Franks Apartments, LLC, for the Slatewood Apartments Proposed to be Located at 1201 North Franks Drive on Approximately 4.8 Acres in the MR-16 Multi-Family Residential Zoning District.
10. **Setting Dates, Time, and Place** for Regular Planning Commission Meetings for the 2023 Calendar Year.

11. **Nomination and Election** of Planning Commission Chair and Vice-Chair for the 2023 Calendar Year.
12. **Discussion** Regarding Planning Commissioner Assignments to Pre-Development Meetings for the 2023 Calendar Year.
13. **City Council Reports**
14. **Review and Approval** of Planning Commission Minutes for the Meeting Held on November 9, 2022.
15. **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**

December 5, 2022

**To:** Tooele City Planning Commission  
Business Date: December 14, 2022

**From:** Planning Division  
Community Development Department

**Prepared By:** Andrew Aagard City Planner / Zoning Administrator

**Re: Bout Time Pub & Grub – Conditional Use Permit Request**

Application No.: P22-1328  
Applicant: Tim Ryan, representing Bout Time Pub & Grub  
Project Location: 615 North Main Street  
Zoning: GC General Commercial Zone  
Acreage: .80 Acres (Approximately 34,848 ft<sup>2</sup>)  
Request: Request for approval of a Conditional Use Permit in the GC General Commercial zone regarding authorizing the use of “Private Club / Bar” to occur at the property.

**BACKGROUND**

This application is a request for approval of a Conditional Use Permit for approximately .80 acres located at 615 North Main Street. The property is currently zoned GC General Commercial. The applicant is requesting that a Conditional Use Permit be approved to allow for the re-development of the currently vacant structure and site as a “Private Club / Bar.”

**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. Properties to the north of the subject property as well as to the east and south are all zoned GC General Commercial. Properties to the west are zoned MR-8 Multi-Family Residential. Mapping pertinent to the subject request can be found in Exhibit “A” to this report.

The applicant wishes to establish a sports bar / pub in the existing restaurant structure on the site.

*Site Plan Layout.* This is an existing site, formerly known as the Sun Lok Yun Restaurant. An aerial map has been provided that demonstrates the existing conditions of the site. It is not known at this time if the applicant is proposing any amendments to the site, building, building exterior, etc. The site currently includes some existing parking at the front and along the northern side. The parcel extends from Main Street to 50 West Street and does include room for additional parking.

*Parking.* Parking is always an issue when a new use occupies an existing structure. Currently, there are 22 existing parking stalls on the site with room for possibly another 25 parking stalls if the entire site is utilized for parking. Parking for a restaurant is based upon either the number of seats or the amount of square footage excluding the kitchen and storage areas. At this time the applicant has not indicated the number of seats that will be provided inside the pub or the amount of area utilized as kitchen or storage. However, there is sufficient space on the site to double the amount of parking, though, the required amount will be much less than this when considering the portions of the business utilized and occupied by kitchen and storage uses. Staff is confident that there is sufficient space on the site to accommodate parking needs generated by this new business.

Alcohol Licensure. Given that this is a “pub” this business will involve the sale and consumption of alcohol on the site. As such the applicant will need to obtain all necessary licenses for alcohol from both the City of Tooele and the State of Utah, primarily the State of Utah. When alcohol sales and consumption on the site are proposed there are certain proximity requirements from uses such as churches, schools, daycares, etc. There is a church that meets inside the Phil’s Glass structure on a weekly basis just north of the subject property. However, it has been confirmed that the structure itself is not designated as a church and therefore the proximity requirements from a church do not apply. A correspondence between the DABS (Department of Alcoholic Beverages Services) and Tooele City Business License Department confirming this determination has been included as an attachment to this staff report for the Commission’s reference.

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

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

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

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

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

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

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



those employees and citizens that may patronize the business. As such, it is imperative that all construction and development activities comply with property regulations which can be assured through the City's Public Works Department plan review, permitted, and inspection processes.

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

## **REVIEWS**

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

*Engineering and Public Works Division Review.* The Tooele City Engineering and Public Works Divisions do not typically review conditional use permits and have not issued any comments regarding this application.

*Tooele City Fire Department Review.* The Tooele City Fire Department has completed their review of the Conditional Use Permit submission and has not issued any comments regarding the proposed use in the existing restaurant structure.

*Noticing.* The applicant has expressed their desire to obtain a Conditional Use Permit for the subject property and do so in a manner which is compliant with the City Code. As such, notice has been properly issued in the manner outlined in the City and State Codes.

## **STAFF RECOMMENDATION**

Staff recommends approval of the request for a Conditional Use Permit by Tim Ryan, representing Bout Time Pub & Grub, application number P22-1328, subject to the following conditions:

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

This recommendation is based on the following findings:

1. The proposed development plans meet the intent, goals, and objectives of the Tooele City General Plan.
2. The proposed development plans meet the requirements and provisions of the Tooele City Code.
3. The proposed development plans will not be deleterious to the health, safety, and general welfare of the general public nor the residents of adjacent properties.
4. The proposed development conforms to the general aesthetic and physical development of the area.
5. The public services in the area are adequate to support the subject development.

6. The findings of fact for this proposed Conditional Use Permit request have been identified and the conditions proposed are intended to mitigate the reasonably anticipated detrimental impacts, as required by Tooele City Code Section 7-5-4.

### **MODEL MOTIONS**

Sample Motion for Approval – “I move we approve the Conditional Use Permit Request by Tim Ryan, representing Bout Time Pub & Grub authorizing the use of “Private Club / Bar” on property located at 615 North Main Street, application number P22-1328, based on the findings and subject to the conditions listed in the Staff Report dated December 5, 2022:”

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

Sample Motion for Denial – “I move we deny the Conditional Use Permit Request by Tim Ryan, representing Bout Time Pub & Grub authorizing the use of “Private Club / Bar” on property located at 615 North Main Street, application number P22-1328, based on the following findings:”

1. List findings of fact...

**EXHIBIT A**

**MAPPING PERTINENT TO THE  
BOUT TIME PUB & GRUB CONDITIONAL USE PERMIT**

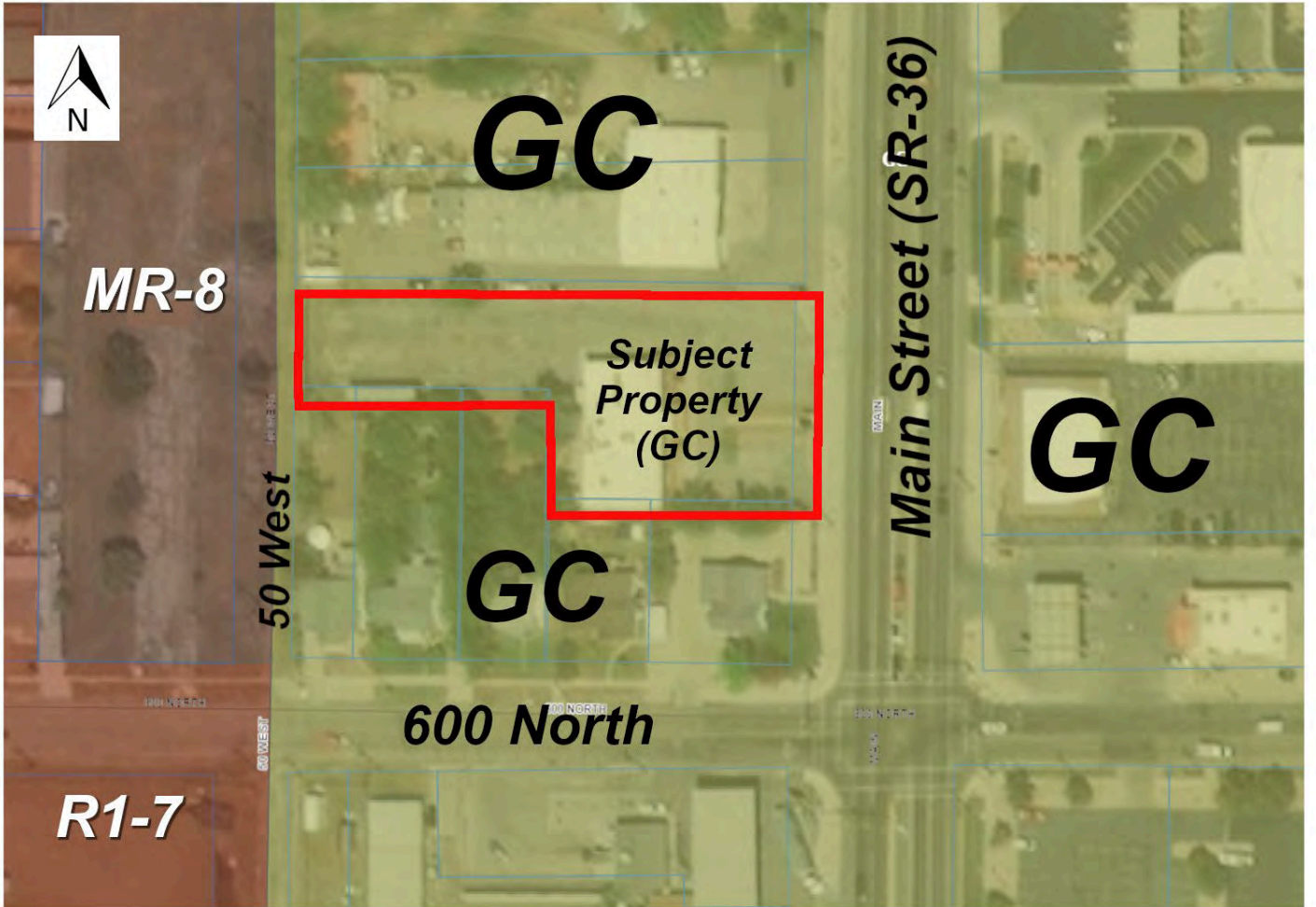
***Bout Time Pub and Grub Conditional Use***



***Aerial View***



**Bout Time Pub and Grub 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](http://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.

P22-1328

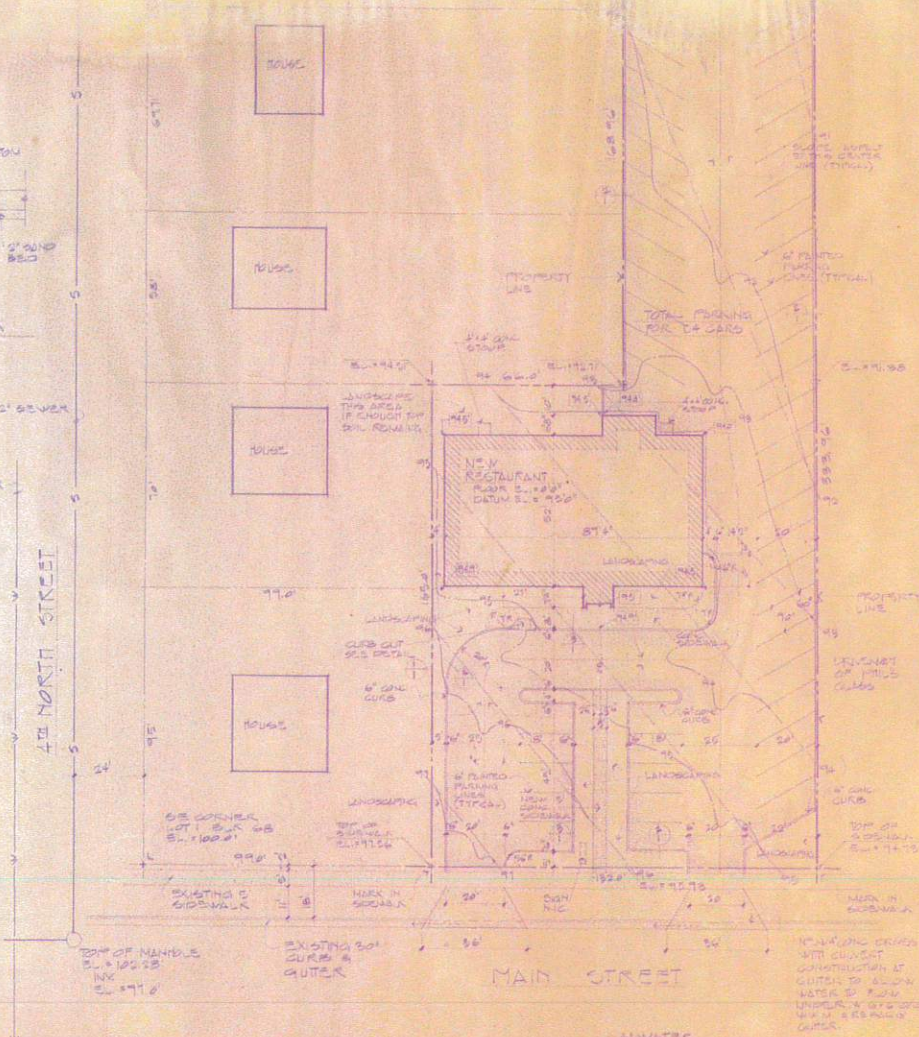
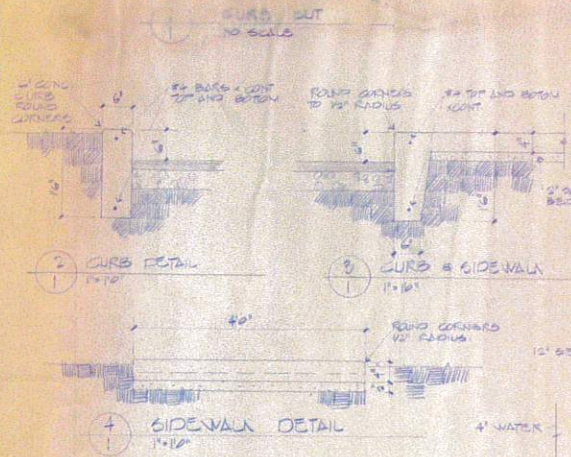
Project Information					
Date of Submission: 11-17-2022		Current Zoning:		Parcel #(s): 02-069-0-0006	
Project Name: Bour Time Pub & Grub				Acres: .80	
Project Address: 615 N. Main Street Tooele UT				Units: 1	
Project Description: Seeking CUP to operate as a sports bar, licensed as DABS "Bar" type					
Current Use of Property: Vacant. Formerly restaurant also with "full service" alcohol license -					
Property Owner(s): Edward K and Dee K Leo			Applicant(s): Bour Time Pub & Grub		
Address:			Address: 8180 S. 700 E.		
City:	State:	Zip:	City:	State:	Zip:
			SANDY	UT	84070
Phone:			Phone: 801 243-1401		
Contact Person: Tim Ryan			Address: 8180 S. 700 E.		
Phone:			City:	State:	Zip:
			SANDY	UT	84070
Cellular: 801 243 1401	Fax: 801 981-8510		Email: Tim@BourTimePub.com		
Signature of Applicant: 					
Date 11-17-22					

\*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			
2221347			
Fee: \$ 600.00 (213)	Received By: Hunter	Date Received: 11/22/22	Receipt #: 521947





PLOT PLAN  
SCALE 1/4" = 10'-0"

- 4 CURB DETAIL
- 5 CURB & SIDEWALK
- 6 SIDEWALK DETAIL
- 1 CURB DETAIL
- 2 CURB & SIDEWALK
- 3 SIDEWALK DETAIL
- 1-1 FLOORING & FOUNDATION PLAN
- 1-2 RAFT FLOORING PLAN
- 1-3 GENERAL NOTES STRUCTURAL
- M-1 SITE PLAN (MECH AND ELECTRICAL)
- M-2 MECHANICAL FLOOR PLAN
- M-3 PLUMBING FLOOR PLAN
- E-1 LIGHTING PLAN
- E-2 POWER PLAN
- E-3 PANELS - SCHEDULES
- E-4 PANELS - SCHEDULES
- A-1 SPECIFICATIONS

GENERAL NOTES

1. EAST END OF SITE HAS TWO TIES WHICH WERE THE PREVIOUS ZONING REQUIREMENTS. THESE TIES ARE TO BE PAVED LEVEL TO MATCH GRADE W/ ENGINEERING PLAN.
2. CONTRACTOR IS TO PROVIDE 20% SLOPE FROM SWIFTING ARE TO USE TO SPEED UP & OFF ALL LAKE OVER AREAS NOTED LANDSCAPING ON PLAN.
3. LIMIT PAVING SLOPE VERTICAL TO 20%.
4. EXISTING CONTOUR LINES HAVE BEEN OBTAINED CONTRACTOR SHALL VERIFY ACCURACY OF THESE CONTOURS (S.W.) BEFORE EXCAVATION AND NOTE ARCHITECT OF ANY DISCREPANCY.
5. S.W. SLOPE IS TO HAVE 10' TYPICAL DOWN CURB W/ 4" TOP AND BOTTOM W/ 2" MINIMUM CURB.

LEGEND  
 --- NEW CONTOUR  
 --- EXISTING CONTOUR

**CARPENTER-STRINGHAM & ASSOCIATES ARCHITECTS**  
 888 EAST FIRST SOUTH  
 SALT LAKE CITY, UTAH

**MECS**  
 STRUCTURAL  
 MECHANICAL  
 ELECTRICAL

PLOT PLAN & DETAILS  
 SHEET NO. 1

DATE: APR 1, 1978  
 SHEET: 1



## **Lisa Carpenter**

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**To:** Lisa Carpenter  
**Subject:** RE: Proximity

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**From:** Lisa Carpenter  
**Sent:** Friday, November 4, 2022 9:52 AM  
**To:** 'Tim Ryan' <tim@bouttimepub.com>  
**Subject:** RE: Proximity

Tim:

You did your homework! Thank you for the attached email from Mike Bishop, as well. I will forward that to both our City Planner, Andrew, and our Economic Development Director, Jared. You are welcome to submit your CUP application to the Building Clerk ladies, here at City Hall. Either Denece or Presley can help you with taking the fee and the application to get on the Planning Commission Agenda.

Lisa

Lisa Carpenter, Tooele City  
Business License Specialist, CBLO  
90 North Main Street, Ste 108  
Tooele Utah 84074  
(435) 843-2110  
[lisac@tooelecity.org](mailto:lisac@tooelecity.org)



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**From:** Tim Ryan <tim@bouttimepub.com>  
**Sent:** Friday, November 4, 2022 8:41 AM  
**To:** Lisa Carpenter <[LisaC@TooeleCity.org](mailto:LisaC@TooeleCity.org)>  
**Subject:** Re: Proximity

Good morning, Lisa,

Thank you for the reply. Late yesterday I received word from the DABS the location at Phil's Glass does not qualify as a church under Utah Code 32-B. Based on the City's policy of following the State regulation, can you confirm that "proximity" will not be an issue in obtaining Local Consent for the Bar Liquor License type at our intended location of 615 N Main? If so, then I believe next steps are to apply for the conditional use permit and then seek Local Consent from your office, correct?

Please advise and thanks again for helping me avoid a potential problem.

Tim Ryan  
Chief Financial Officer  
Bout Time Pub & Grub  
8180 S 700 E #220

Sandy, UT 84070

801-243-1401

[Tim@bouttimepub.com](mailto:Tim@bouttimepub.com)

# **BOUT TIME!**

## **PUB & GRUB**

On Nov 4, 2022, at 8:23 AM, Lisa Carpenter <[LisaC@TooeleCity.org](mailto:LisaC@TooeleCity.org)> wrote:

Tim:

We follow the DABS as they are the STATE rules each City is to follow.

Lisa

Lisa Carpenter, Tooele City  
Business License Specialist, CBLO  
90 North Main Street, Ste 108  
Tooele Utah 84074  
(435) 843-2110  
[lisac@tooelecity.org](mailto:lisac@tooelecity.org)

-----Original Message-----

From: Tim Ryan <[tim@bouttimepub.com](mailto:tim@bouttimepub.com)>  
Sent: Thursday, November 3, 2022 2:45 PM  
To: Lisa Carpenter <[LisaC@TooeleCity.org](mailto:LisaC@TooeleCity.org)>  
Subject: Proximity

Hi Lisa;

Thanks again for pointing out the potential pitfall with the group meeting next door at Phil's Glass.

Does the City follow the DABC (now DABS) proximity rules or does the City have its own proximity regulation?

Thank you and thanks again for pointing this out before I got too deep!

Tim Ryan  
Bout Time Pub & Grub  
801-243-1401

Sent from my iPhone



**From:** Mike Bishop [mikebishop@utah.gov](mailto:mikebishop@utah.gov)  
**Subject:** Berean Full Gospel Church Congregation at 635 North Main St Tooele  
**Date:** November 3, 2022 at 2:36 PM  
**To:** Tim Ryan [TIM@bouttimepub.com](mailto:TIM@bouttimepub.com)

Tim,

At this time, it does not appear that the Berean Full Gospel Church congregation at 635 North Main St Tooele meets the complete statutory definition of a church, so there would not be a proximity issue as far as the DABS is concerned. We spoke extensively with Keith Utz with Berean Full Gospel Church, and he explained to us that they do not have clergy at the 635 North Main St location in Tooele and that they do not have Federal or State tax-exemption paperwork registered for this location.

Furthermore, as the space is not specifically set apart as a place for worship, the DABS does not feel that this congregation at this location meets our statutory definition of a church as set forth by Utah Code 32B, 32B-1-102

(20) "Church" means a building:

- (a) set apart for worship;
- (b) in which religious services are held;
- (c) with which clergy is associated; and
- (d) that is tax-exempt under the laws of this state.



Department of  
**Alcoholic  
Beverage  
Services**

**Mike Bishop, Specialist**  
**Licensing & Compliance Division**

Email: [mikebishop@utah.gov](mailto:mikebishop@utah.gov)  
Phone: 801-977-6875  
Cell: 801-707-3473



**\*\*The information provided in this email does not, and is not intended to constitute legal advice; instead, all information, content, and attachments available in this email is for general informational purposes only. Readers of this email should contact their attorney to obtain advice with respect to any particular legal matter.\*\***

**STAFF REPORT**

December 1, 2022

**To:** Tooele City Planning Commission  
Business Date: December 14, 2022

**From:** Planning Division  
Community Development Department

**Prepared By:** Andrew Aagard, City Planner / Zoning Administrator

**Re:** **Holiday Oil – Zoning Map Amendment Request**

Application No.: P22-1238  
Applicant: Brent Neel, representing Wagstaff Investments, LLC  
Project Location: 1000 North Franks Drive (NE Corner)  
Zoning: MR-16 Multi-Family Residential Zone  
Acreage: 2 Acres (Approximately 87,120 ft<sup>2</sup>)  
Request: Request for approval of a Zoning Map Amendment in the MR-16 Multi-Family Residential zone regarding re-assigning the zoning of the property from MR-16 Multi-Family Residential to RC Regional Commercial.

**BACKGROUND**

This application is a request for approval of a Zoning Map Amendment for approximately 2 acres located at the north east corner of the intersection of 1000 North and Franks Drive. The property is currently zoned MR-16 Multi-Family Residential. The applicant is requesting that a Zoning Map Amendment be approved to re-assign the zoning of the 2 acre property to RC Regional Commercial in order to facilitate the construction of a convenience store with gasoline services.

**ANALYSIS**

*General Plan and Zoning.* The Land Use Map of the General Plan was recently amended by the Tooele City Council and calls for the Regional Commercial 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 not identified by the General Plan as a preferred zoning classification for the Regional Commercial land use designation. Properties located to the north of the subject property are zoned NC Neighborhood Commercial and MR-16 Multi-Family Residential. Properties to the east are zoned MR-16. Properties to the west are zoned NC Neighborhood Commercial. Property to the south is zoned GC General Commercial. All surrounding property is undeveloped land. Mapping pertinent to the subject request can be found in Exhibit “A” to this report.

Tooele City recently amended its Land Use Map in regards to the 2 acre subject property. The Land Use Map now designates the property to be Regional Commercial. The Regional Commercial Land Use designation emphasizes or recommends two commercial zones. The RD Research and Development zone and the RC Regional Commercial zone. The RC zoning district is a zone that involves commercial uses that are more regional in scale instead of local uses, meaning, those that utilize the services provided come from the region at large, and not just the neighborhoods nearby. The City’s ordinance defines the RC zone as: *“The Regional Commercial District is established to provide for large scale commercial and other uses that have a regional influence and that may be areas of high traffic generation, because of the*

*nature of the use, the diversity of uses, or the size of the activity. The Regional Commercial (RC) District is designed to provide areas for intensive retail commercial uses, such as retail shopping centers, large retail outlets, large office buildings, entertainment uses, public uses and quasi-public uses and related activities. This District shall be located so as to be able to provide the services and infrastructure available to meet the demands of intensive commercial uses. This District will be located in proximity to major roads and transportation corridors to facilitate access by the private automobile and public transportation. This District encourages creative site planning and design for activities and uses that will provide commercial and other services to residents of the Tooele Valley and adjoining areas. All buildings and structures within this District will be attractively designed and incorporate a design theme through architectural design elements. These areas should also provide amenities for the use of city residents and patrons including open space and trail features, mass transit terminals and other amenities.”*

Convenience stores and gasoline stations are permitted in the Regional Commercial zone but do require a Conditional Use Permit. Residential uses are not readily permitted in the RC zoning district other than care taker units for uses such as hotels and motels. The selected area, does meet the location and traffic requirements as described in the zoning purpose description above.

The MR-16 zoning district is the complete opposite of the RC Regional Commercial zoning district in that it is a residential zone that is specific to multi-family residential uses. The MR-16 zone permits the construction of town houses, apartments, condominiums and other multi-family residential arrangements. Commercial uses are not permitted in the MR-16 zoning district.

As development occurs in this area the traffic on 1000 North continues to grow in volume. The intersection of Franks Drive and 1000 North is also growing in volume and use. 1000 North is a state highway and is managed under the purview of the Utah Department of Transportation. The State is currently in process wrapping up a design for a traffic signal for this intersection. Timing of construction of the traffic signal at this intersection has not been disclosed and is at UDOT’s discretion.

There is a gateway overlay that runs along the north and south sides of 1000 North. This gateway overlay pertains mostly to site planning in that it emphasizes building architecture, street scape appeal, increased landscaping and so forth to make the gateway entrance into the City more visually appealing. The gateway overlay is not relevant to zoning map amendments.

Subdivision Layout. The 2 acre parcel being considered for rezoning does not currently exist. The map that is provided is a survey document provided by the applicant but the property has not been subdivided from the larger overall property. The zoning map will be revised to reflect the appropriately subdivided parcel once subdivision of the property has occurred.

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

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

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

**REVIEWS**

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

- 1. The RC Regional Commercial zoning district does comply with the Regional Commercial land use designation of the Tooele City Land Use Map.

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

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

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

**STAFF RECOMMENDATION**

Staff recommends 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 Zoning Map Amendment Request by Brent Neel, representing Wagstaff Investments, LLC, reassigning 2 acres located at 1000 North Franks Drive to the RC Regional Commercial zoning district, application number P22-1238, based on the findings and subject to the conditions listed in the Staff Report dated December 1, 2022:”

1. List any additional findings and conditions...

Sample Motion for a Negative Recommendation – “I move we forward a negative recommendation to the City Council for the Holiday Oil Zoning Map Amendment Request by Brent Neel, representing Wagstaff Investments, LLC reassigning 2 acres located at 1000 North Franks Drive to the RC Regional Commercial zoning district, application number P22-1238, based on the following findings:”

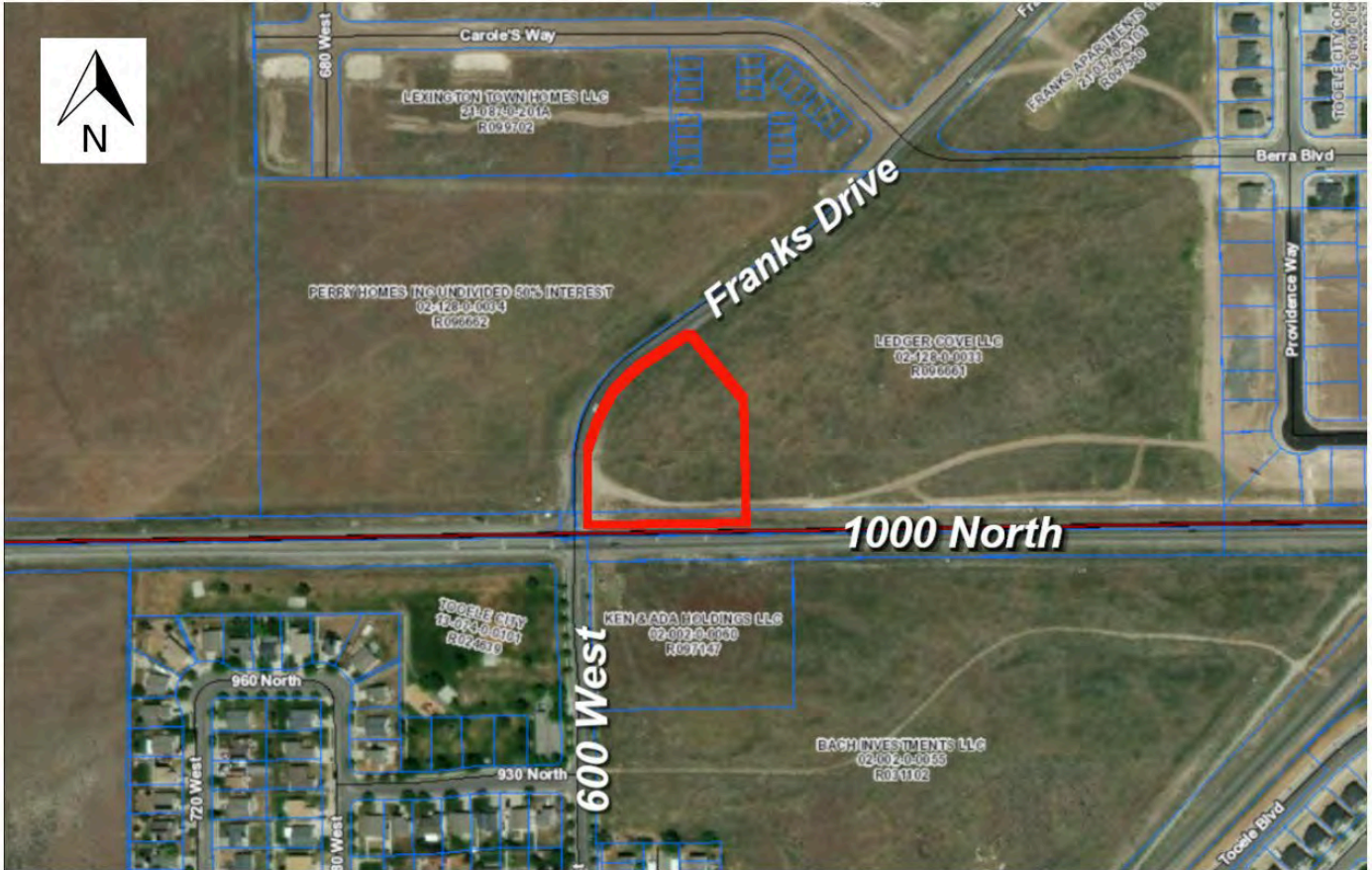
1. List findings...



**EXHIBIT A**

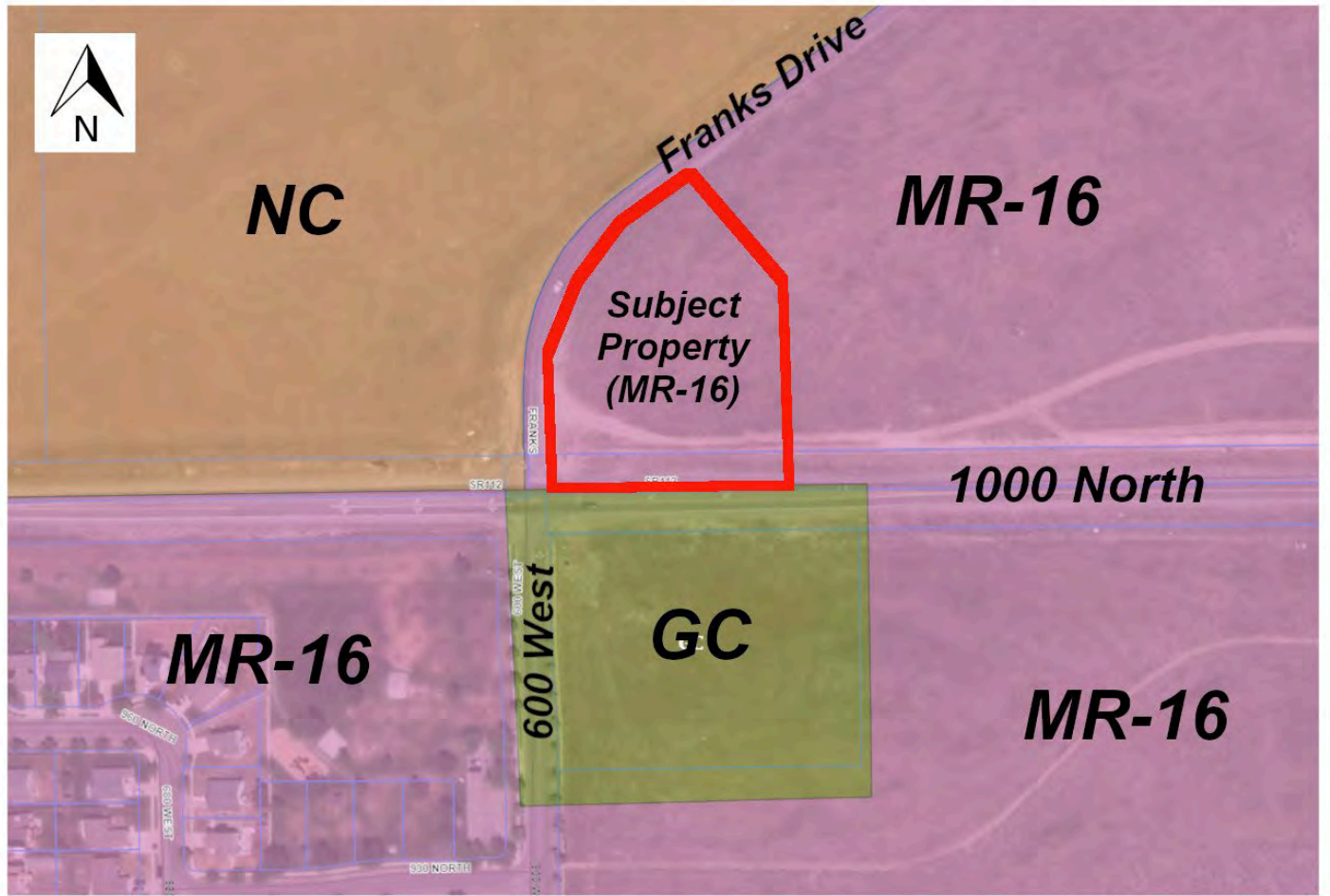
**MAPPING PERTINENT TO THE HOLIDAY OIL ZONING MAP AMENDMENT**

***Holiday Oil Zoning Map Amendment***



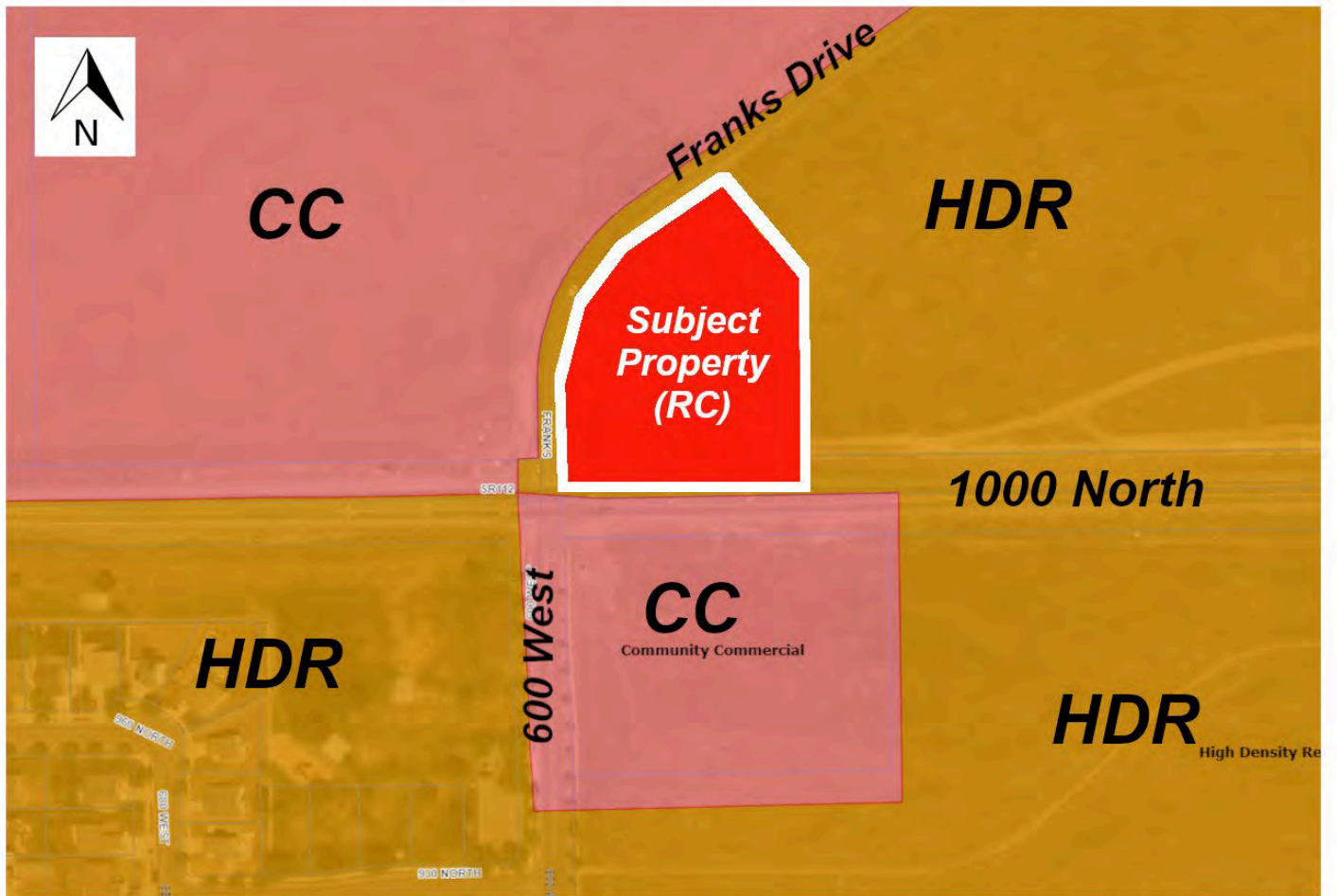
***Aerial View***

# Holiday Oil Zoning Map Amendment



**Current Zoning**

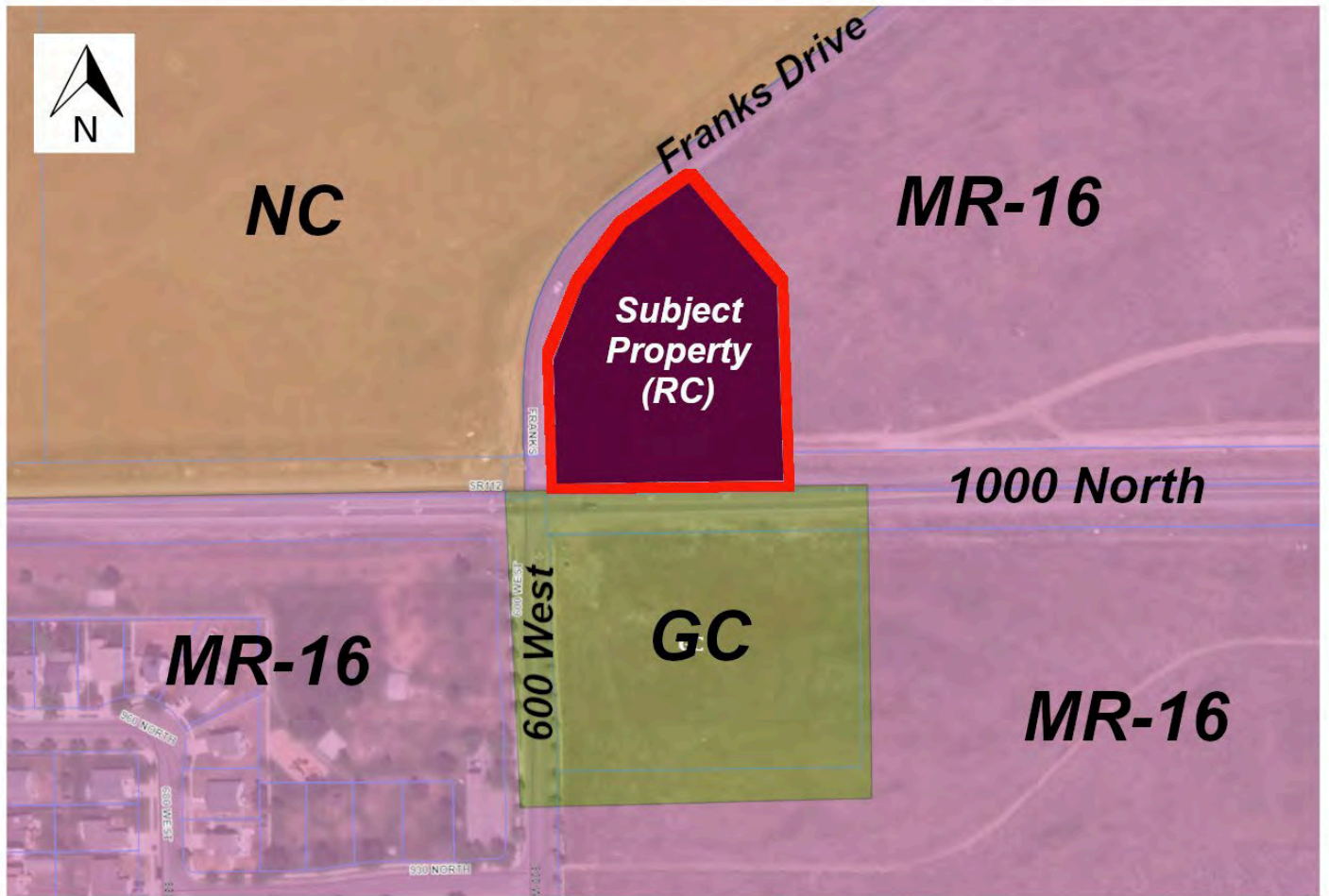
# Holiday Oil Zoning Map Amendment



Current Land Use



# Holiday Oil Zoning Map Amendment



**Proposed Zoning**

**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](http://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				22-1238	
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>Moliday Oil</i>		Acres: <i>2 Acres</i>			
Project Address: <i>NE CORNER OF FRANKS DRIVE / 1000 N.</i>					
Proposed for Amendment: <input type="checkbox"/> Ordinance <input type="checkbox"/> General Plan <input type="checkbox"/> Master Plan: <i>ZONE MAP</i>					
Brief Project Summary: <i>The purpose of this application is to amend the current zoning map to show commercial (Regional) for approx. 2 acres of subject property</i>					
Property Owner(s): <i>Ledger Grove LLC</i>			Applicant(s): <i>Waystaff 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 City</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@waystaffinvestments.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				2221238	
Received By: <i>[Signature]</i>	Date Received: <i>10/26/22</i>	Fees: <i>\$1,100.00</i>	App. #:		

Rec # 00515359





Peter's River

N Franks Dr

N Franks Dr

HOLIDAY OIL  
TANK  
TANK

112

W 1000 N

W 1000 N

600 W

Future home of Tooele Gymnastics Academy

Gleneagles Park



**TOOELE CITY CORPORATION**

***DRAFT ORDINANCE 2022-40***

**AN ORDINANCE OF THE TOOELE CITY COUNCIL AMENDING TOOELE CITY CODE SECTION 7-1-5 AND CHAPTER 7-15 REGARDING FAIR HOUSING AND RESIDENTIAL FACILITIES FOR PERSONS WITH A DISABILITY.**

WHEREAS, the federal Americans with Disabilities Act (ADA) and its successor statutes contains protections for persons with a disability, and the term “disability” includes drug addiction; and,

WHEREAS, the federal Fair Housing Act (FHA) and its successor statutes contains housing protections for persons with a disability, as does the Utah Fair Housing Act (UFHA); and,

WHEREAS, Tooele City Code (TCC) Chapter 7-15 governs residential facilities for persons with a disability; and,

WHEREAS, TCC 7-14 regulates residential zoning districts, and identifies residential facilities for persons with a disability as permitted (P) uses in all Tooele City zoning districts which permit a dwelling; and,

WHEREAS, residential facilities for persons with a disability are one type of dwelling known by some as a “group home”; and,

WHEREAS, as a general rule, the above Acts require that persons with a disability have the same access to housing as persons without a disability; and,

WHEREAS, clinical research into group homes for persons disabled by drug addiction indicates that such persons achieve greater success in navigating life and in overcoming addiction by living in a group setting with up to eight residents per dwelling; and,

WHEREAS, TCC 7-1-5 defines the term “family” as being an individual, or two or more persons related by blood or marriage, or a maximum of four unrelated persons living together in a dwelling; and,

WHEREAS, under TCC, eight unrelated persons living together in a dwelling exceeds the definition of the term “family” and is not lawful; and,

WHEREAS, the above Acts require the government to make reasonable accommodations to persons with a disability in order to make housing available to them in a way available to persons without a disability, and allowing up to eight disabled persons to live in a dwelling is an example of a reasonable accommodation, supported by clinical research; and,

WHEREAS, approving a reasonable accommodation involves an interactive process between the land use applicant and the municipal government that explores measures to remove housing barriers for persons with a disability and to allow them housing on an equal basis with persons without a disability; and,

WHEREAS, some municipalities with the definition of “family” as four unrelated persons require a reasonable accommodation application and hearing for all applications for a residential facility for persons with a disability of between five and eight persons per dwelling, causing significant time delay, staff resources, expert involvement, cost, and frustration, with the outcome of the hearing often, if not always, approving the accommodation for eight persons in a dwelling; and,

WHEREAS, other municipalities recognize that a residential facility for persons with a disability with eight persons in the dwelling is clinically shown to be effective and reasonable, and choose to codify a reasonable accommodation for facilities of up to eight persons, bringing significant efficiencies and cost saving to the process of approving such facilities; and,

WHEREAS, the City Administration recommends that the TCC definition of “family” be amended to include up to eight unrelated disabled persons living in a dwelling, recommends that the definition of “facility for persons with a disability” include an eight-persons per dwelling cap, and recommends that TCC Chapter 7-15 be amended, all as shown in the attached Exhibit A; and,

WHEREAS, the City Council discussed this Ordinance and its Exhibit A during its public work meeting of November 16, 2022 (see meeting minutes attached as Exhibit B); and,

WHEREAS, the Planning Commission convened a duly-noticed public hearing on December 14, 2022, regarding this ordinance and its Exhibit A, accepted public comment, and voted to forward its recommendation to the City Council (see meeting minutes attached as Exhibit C); and,

WHEREAS, the City Council convened a public hearing on January 4, 2023, regarding this ordinance and its Exhibit A:

NOW, THEREFORE, BE IT RESOLVED BY THE TOOELE CITY COUNCIL that TCC Section 7-1-5 and Chapter 7-15 are hereby amended as shown in Exhibit A.

This Ordinance shall take effect immediately upon passage, without further publication, by authority of the Tooele City Charter.

IN WITNESS WHEREOF, this Ordinance is passed by the Tooele City Council this \_\_\_\_ day of \_\_\_\_\_, 2023.

TOOELE CITY COUNCIL

(For)

(Against)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ABSTAINING: \_\_\_\_\_

MAYOR OF TOOELE CITY

(Approved)

(Disapproved)

\_\_\_\_\_

\_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Michelle Y. Pitt, City Recorder

S E A L

Approved as to Form: \_\_\_\_\_  
Roger Evans Baker, City Attorney

# Exhibit A

Amendments to:  
TCC Section 7-1-5  
and  
TCC Chapter 7-15

Tooele City – Draft Ordinance  
Residential Facility for Disabled Persons

**7-1-5. Definitions.**

Family -

- (1) An individual person.
- (2) Two or more persons, related by blood, marriage, or adoption, including foster children, living together in a dwelling; and, up to two other persons, hired for domestic help, residing in the dwelling.
- (3) Up to four unrelated persons living together in a dwelling.
- (4) A group of persons with a disability living in a residential facility for persons with a disability as permitted by Chapter 7-15 of this Title.

Residential Facility for Persons with a Disability - A dwelling in which no more than eight disabled persons reside and which is licensed or certified, as applicable, by:

- (1) the Utah Department of Human Services under Title 62A, Chapter 2, of the Utah Code, Licensure of Programs and Facilities; and,
- (2) the Utah Department of Health under Title 26, Chapter 21, of the Utah Code, Health Care Facility Licensing and Inspection Act.

**7-15-1. Purpose.**

The City intends this Chapter to be interpreted and applied in a manner that is consistent with the Utah Fair Housing Act (UCA Chapter 57-21), the Federal Fair Housing Amendments Act of 1988 (42 USC Section 3601 et seq.), Title II of the Americans With Disabilities Act, and the Rehabilitation Act.

**7-15-2. Scope.**

If any dwelling meets the definition of a residential facility for disabled persons as defined in Section 7-1-5 of this Title, the requirements of this Chapter shall govern, notwithstanding any conflicting provision of this Title or this Code. Except as provided herein, the requirements of this Chapter shall not be construed to prohibit or limit other applicable provisions of this Title, this Code, or other laws.

**7-15-3. Permitted Uses.**

(1) Notwithstanding any contrary provision of this Title, a residential facility for persons with a disability shall be a

permitted use in any zoning district where a dwelling is allowed either as a permitted or conditional use, subject to the same development regulations as applied to dwellings.

(2) A residential facility for persons with a disability may not be allowed by variance, prior accommodation, legal nonconforming building, or legal nonconforming use.

(3) Each facility located in a single-family zoning district (R1-7 through RR-5) shall comply with the single-family design standards contained in Chapter 7-11b of this Title.

(4) Each facility located in a multi-family zoning district (MR-20, MR-16, MR-12, and MR-8) shall comply with the multi-family design standards contained in Chapter 7-11a of this Title.

(5) The minimum number of parking spaces required for a facility shall be as required in Chapter 7-4 of this Title.

(6) No more than four persons may be housed in a single bedroom.

(7) A minimum of 60 square-feet per resident shall be provided in a multiple-

occupant bedroom. A minimum of 100 square-foot per resident shall be provided in a single-occupant bedroom.

(8) Bathrooms shall have a minimum ratio of one toilet, one lavatory, and one tub or shower to each six residents.

(9) The facility must be a structure type that is permitted in the zoning district in which the facility is proposed to be located.

#### **7-15-4. Reasonable Accommodation.**

(1) None of the requirements of this Chapter shall be interpreted to limit any reasonable accommodation to afford a disabled person an equal opportunity to use and enjoy a dwelling as required by the Fair Housing Amendments Act of 1988, Title II of the Americans With Disabilities Act, the Utah Fair Housing Act, the Rehabilitation Act, and any other Federal or State law requiring a reasonable accommodation for a disabled person.

(2) Any person or entity wanting a reasonable accommodation shall submit a written application to the Director of the Community Development Department, which shall include at least the following:

a. The address of the property to which the accommodation will be applied;

b. The accommodation requested, including the regulations, policies, or procedures from which an accommodation is sought;

c. An explanation of why the accommodation is reasonable and necessary to afford a disabled person an equal opportunity to use and enjoy a dwelling; and,

d. All information necessary and sufficient for the findings required in subsection (4) of this Section.

(3) The Director shall evaluate all reasonable accommodation requests based on the criteria required of an applicant by subsection (4) of this Section.

(4) Within 30 days after receipt of a complete application, the Director shall issue

a written decision on the requested reasonable accommodation. The Director may either grant, grant with modifications, or deny a request for reasonable accommodation under the following factors:

a. Whether the dwelling, which is the subject of the request for reasonable accommodation, will be used by a disabled person;

b. Whether the requested accommodation is necessary to afford disabled persons equal opportunity to use and enjoy a dwelling when compared to similarly situated persons or groups without a disability;

c. Whether the requested accommodation would impose an undue financial or administrative burden on the City;

d. Whether the requested accommodation would require a fundamental alteration in the nature of the City's planned land use, zoning, or building programs;

e. Whether the requested accommodation is reasonable under the circumstances;

f. Whether the request for accommodation would cause a dwelling to be made available to an individual whose tenancy is anticipated to cause a direct threat to the health or safety of other individuals or whose tenancy is anticipated to cause substantial physical damage to the property of others; and,

g. Any other relevant considerations under Federal, State, or Tooele City laws.

(5) If the Director denies a reasonable accommodation request, or grants the request with modifications, the decision may be appealed by the accommodation applicant to the Administrative Hearing Officer in the manner provided for appeals of administrative decisions in Chapter 1-28 of this Code. The review of all such appeals, including any appeals from the Administrative Hearing Officer to the

District Court, shall be based upon the record presented to the Director, and shall not be de novo.

(6) A reasonable accommodation shall not be deemed a variance and shall not run with the land.

(7) If the Director does not render a written decision on the request for reasonable accommodation within the 30-day time period allotted by this Section, the request shall be deemed denied based upon the insufficiency of the applicant's information to satisfy the criteria of this Section.

(8) While a request for reasonable accommodation is pending, all laws and regulations otherwise applicable to the property that is the subject of the request shall remain in full force and effect.

(9) It is the applicant's burden to demonstrate that the accommodation is necessary and reasonable under the standards and definitions set forth in Federal and State law, including Federal and State case law.

#### **7-15-5. Accommodation Review.**

(1) The purpose of the Director's review is to assure that all reasonable accommodation requests comply with this Title, and that all decisions on reasonable accommodation requests are reviewed and handled in compliance with this Title, the Fair Housing Amendments Act of 1988, Title II of the Americans With Disabilities Act, the Utah Fair Housing Act, the Rehabilitation Act, and any other Federal, State, and Tooele City laws requiring a reasonable accommodation for a disabled person.

(2) The Director may consult with and obtain the services of Tooele City personnel and outside professionals or technical experts to help evaluate any and all requests for accommodation.

#### **7-15-6. State Certification or Licensure.**

(1) Prior to the City issuing a certificate of occupancy for a facility, and prior to actual

occupancy of a facility, the person or entity licensed or certified by the State of Utah to establish and operate the facility shall:

(a) provide a copy of the required State of Utah licenses and/or certificates for the facility and for any State-regulated programs provided at the facility; and,

(b) certify by affidavit to the City that no person will reside or remain in the facility whose tenancy likely would constitute a direct threat to the health or safety of others or would result in substantial physical damage to the property of others.

(2) For purposes of this Chapter, State of Utah licenses and certificates for facilities and programs are applicant-specific, facility-specific, and program-specific, and shall not be transferrable to any other owner, operator, facility, or program.

#### **7-15-7. Revocation of Occupancy Permit.**

The City may revoke the occupancy permit of any facility upon the occurrence of any of the following:

(1) the facility is devoted primarily to a use other than a residential facility for persons with a disability;

(2) any license or certificate required and issued by the State of Utah for the facility or a program provided at the facility terminates for any reason (including expiration, revocation, suspension for five years or more, denial of renewal);

(3) the facility fails to comply with all of the requirements of this Chapter; or,

(4) the facility allows a person to reside or remain in the facility whose tenancy constitutes or has constituted a direct threat to the health or safety of others or has resulted in substantial physical damage to the property of others.

#### **7-15-8. Violations.**

(1) The following shall constitute a violation of this Chapter:



(a) continued occupation of a facility upon the revocation of the occupancy permit;

(b) continued occupation of a facility upon the termination of the State of Utah license or certificate for the facility;

(c) continued providing of a program upon the termination of the State of Utah license or certificate for that program;

(d) noncompliance with any provision of Title 4 or Title 7 of this Code applicable to the facility;

(e) allowing a person to reside or remain in the facility whose tenancy constitutes or has constituted a direct threat to the health or safety of others or has resulted in substantial physical damage to the property of others; and,

(f) allowing the facility to be devoted to a use other than a residential facility for persons with a disability.

(2) Any violation of this Chapter is a class B misdemeanor.

*(Draft Date: November 3, 2022)*

## Exhibit B

November 16, 2022, City Council  
Meeting Minutes

## Exhibit C

December 14, 2022, Planning Commission  
Meeting Minutes

**STAFF REPORT**

December 1, 2022

**To:** Tooele City Planning Commission  
Business Date: December 14, 2022

**From:** Planning Division  
Community Development Department

**Prepared By:** Andrew Aagard, City Planner / Zoning Administrator

**Re: Oristruts Subdivision – Subdivision Plat Amendment Request**

Application No.: P22-825  
Applicant: Austin Andersen, representing Cook Builders  
Project Location: Approximately 600 East 2400 North  
Zoning: GC General Commercial Zone  
Acreage: 4.5 Acres (Approximately 196,020 ft<sup>2</sup>)  
Request: Request for approval of a Subdivision Plat Amendment in the GC General Commercial zone regarding the consolidation of three lots into one.

**BACKGROUND**

This application is a request for approval of a Subdivision Plat Amendment for approximately 4.5 acres located at approximately 600 East 2400 North. The property is currently zoned GC General Commercial. The applicant is requesting that a Subdivision Plat Amendment be approved to permit the consolidation of three commercial lots into one.

**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 GC General Commercial zoning designation is identified by the General Plan as a preferred zoning classification for the Community Commercial land use designation. Properties to the north of the subject property are zoned RD Research and Development. Properties to the west are zoned GC General Commercial. Properties to the east and to the south are zoned LI Light Industrial. Mapping pertinent to the subject request can be found in Exhibit “A” to this report.

*Subdivision Layout.* The proposed subdivision plat amendment will vacate and amend lots 2, 3 and 4 of the existing Oristruts Subdivision Amended Plat and reconfigure the three lots into one 4.5 acre parcel totaling 196,020 square feet. The new lot configuration easily exceeds all ordinance requirements for lot size and lot width. The subdivision amendment will not result in any new dedication of public rights of way.

It should be noted that the plat amendment is being conducted in behalf of the Ford Performance Racing School. The size of the building would have resulted in the construction of a building over existing property lines which is not permitted. Therefore the plat amendment will remove the lots lines and enable the school to construct the large building. Frontage improvements such as sidewalk and park strip will be constructed by the racing school as their site develops.

Criteria For Approval. The criteria for review and potential approval of a Subdivision Plat Amendment request is found in Section 7-19-35 of the Tooele City Code and follows the same process as a preliminary subdivision plan.

## **REVIEWS**

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

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

## **STAFF RECOMMENDATION**

Staff recommends approval of the request for a Subdivision Plat Amendment by Austin Andersen, representing Cook Builders, application number P22-825, subject to the following conditions:

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

This recommendation is based on the following findings:

1. The proposed development plans meet the intent, goals, and objectives of the Tooele City General Plan.
2. The proposed development plans meet the requirements and provisions of the Tooele City Code.
3. The proposed development plans will not be deleterious to the health, safety, and general welfare of the general public nor the residents of adjacent properties.
4. The proposed development conforms to the general aesthetic and physical development of the area.
5. The public services in the area are adequate to support the subject development.
6. The reconfigured subdivision meets or exceeds all requirements of the GC General Commercial zone regarding lot size and lot width.

## **MODEL MOTIONS**

Sample Motion for a Positive Recommendation – “I move we forward a positive recommendation to the City Council for the Oristruts Subdivision Plat Amendment 2 request by Austin Andersen, representing Cook Builders thus vacating and amending lots 2, 3 and 4 of the existing Oristruts Subdivision Amended Plat, application number P22-825, based on the findings and subject to the conditions listed in the Staff Report dated December 1, 2022:”

1. List any additional findings and conditions...

Sample Motion for a Negative Recommendation – “I move we forward a negative recommendation to the City Council for the Oristruts Subdivision Plat Amendment 2 request by Austin Andersen, representing Cook Builders thus vacating and amending lots 2, 3 and 4 of the existing Oristruts Subdivision Amended Plat, application number P22-825,, based on the following findings:”

1. List additional findings...

**EXHIBIT A**

**MAPPING PERTINENT TO THE ORISTRUTS SUBDIVISION SUBDIVISION PLAT AMENDMENT**

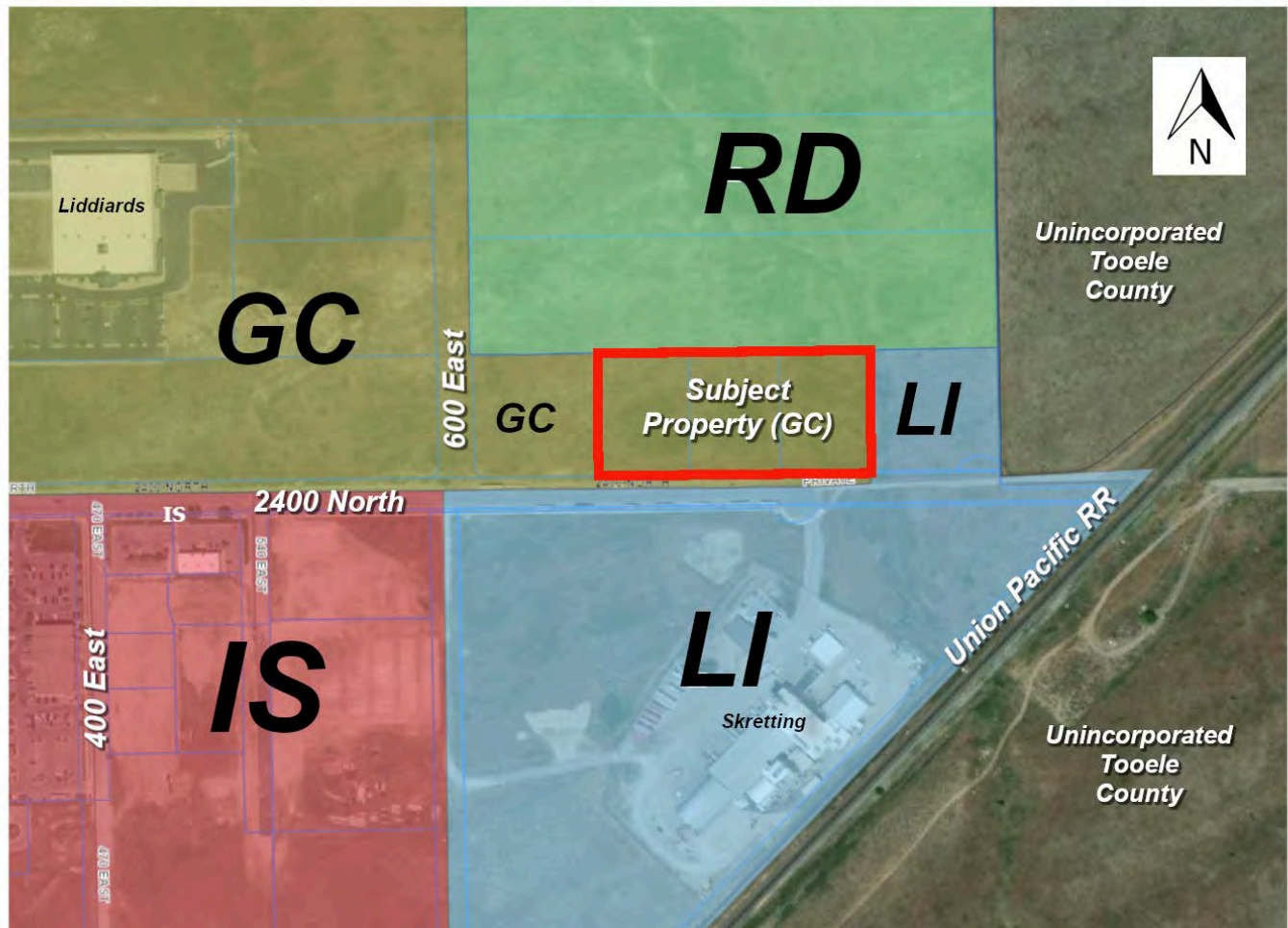
***Oristruts Subdivision Amended 2 Plat Amendment***



***Aerial View***



# Oristruts Subdivision Amended 2 Plat Amendment



**Current Zoning**



**EXHIBIT B**

**PROPOSED DEVELOPMENT PLANS &  
APPLICANT SUBMITTED INFORMATION**

# Subdivision – Plat Amendment Application

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



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

Project Information					
Date of Submission: 6/24/22	Submittal #: <input checked="" type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4	Zone: GC	Acres: 4.5	Parcel #(s): 20-097-0-0001	
Project Name: Ford Performance Racing School Facility					
Project Address: 600 E 2400 N					
Project Description: 60,000 SF Facility for storing vechiles and educating drivers.			Phases:	Lots: 2, 3, 4	
Property Owner(s): Off Road Innovations Inc			Applicant(s): Cook Builders		
Address: 200 Campbell Ave			Address: 1231 N. 1300 W. Ste. A		
City: Bowdon	State: Georgia	Zip: 30108	City: Centerville	State: Utah	Zip: 84014
Phone: (770) 258-1554	Email:		Phone: 801-295-3060	Email: austin@cookbuilder.com	
Contact Person: Austin Andersen			Address: 1231 N. 1300 W. Ste. A		
Phone: 801-295-3060			City: Centerville	State: Utah	Zip: 84014
Cellular: 801-462-7362	Fax:		Email: austin@cookbuilder.com		
Engineer & Company: Jacob Clegg Ensign Engineering			Surveyor & Company:		
Address: 169 North Main Street, Unit 1			Address:		
City: Tooele	State: Utah	Zip: 84074	City:	State:	Zip:
Phone: 435-843-3590	Email: jclegg@ensignutah.com		Phone:	Email:	

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

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

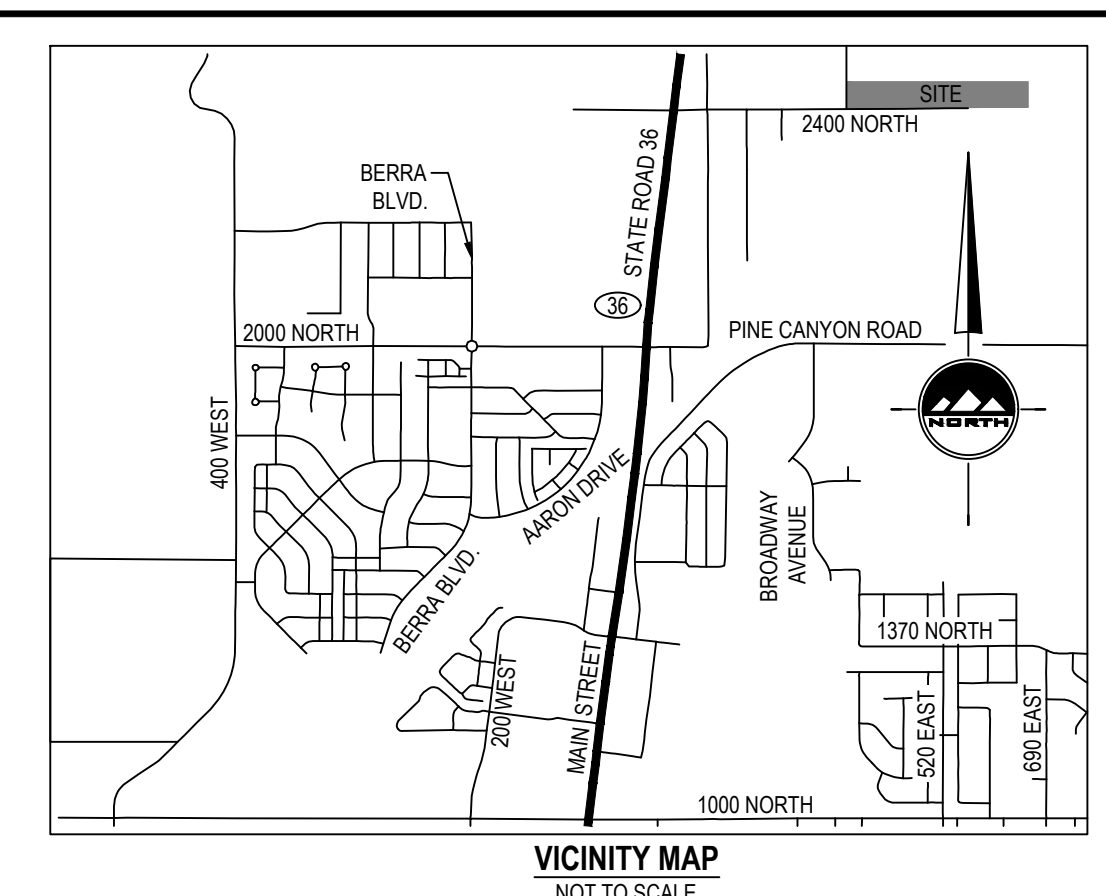




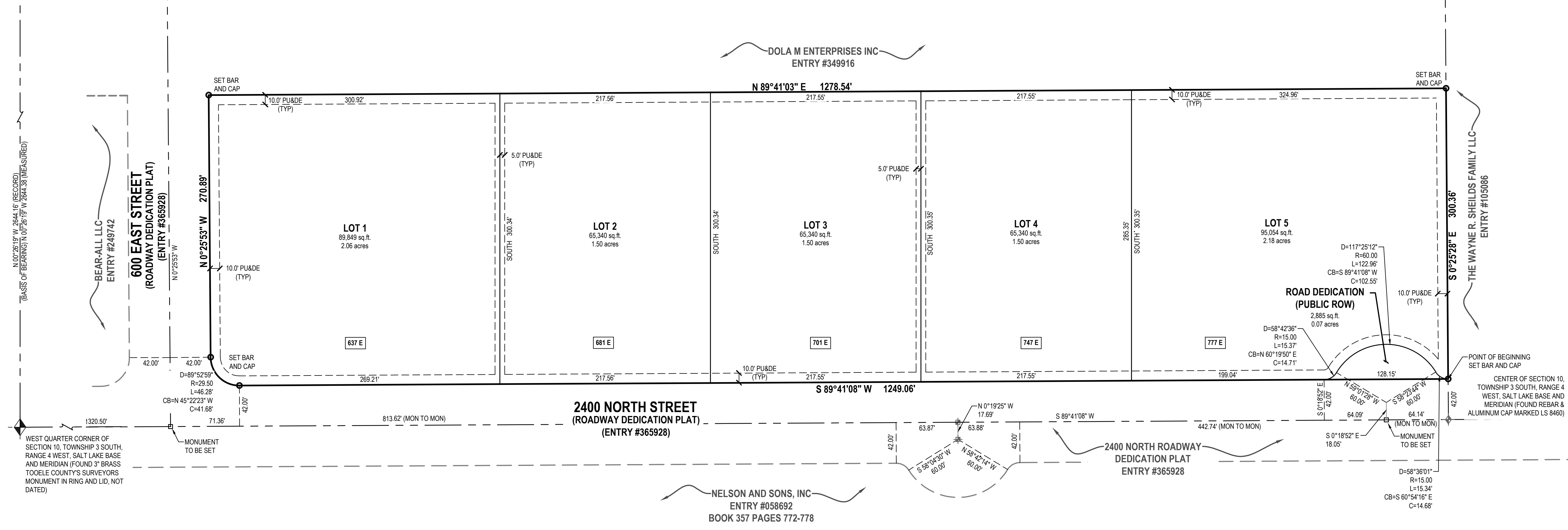
**LEGEND**

	SECTION CORNER		PU&DE= PUBLIC UTILITY & DRAINAGE EASEMENT
	EXISTING MONUMENT		EASEMENTS
	PROPOSED MONUMENT		PROPERTY LINE
	EXISTING REBAR AND CAP		ADJACENT RIGHT OF WAY
	SET 5/8" x 24" REBAR WITH YELLOW PLASTIC CAP, OR NAIL STAMPED "ENSGN ENG. & LAND SURV."		ADJACENT PROPERTY LINE
			SECTION QUARTER
			TANGENT LINE

**FINAL PLAT**  
**ORISTRUTS SUBDIVISION AMENDED**  
 (AMENDING LOT 1 OF ORISTRUTS MINOR SUBDIVISION)  
 LOCATED IN THE SOUTH HALF OF THE  
 NORTHWEST QUARTER OF SECTION 10,  
 TOWNSHIP 3 SOUTH, RANGE 4 WEST,  
 SALT LAKE BASE AND MERIDIAN,  
 TOOELE CITY, TOOELE COUNTY, UTAH



NORTHWEST CORNER OF SECTION 10, TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN (FOUND 3" BRASS TOOELE COUNTY'S SURVEYORS MONUMENT, DATED 1989)



**SURVEYOR'S CERTIFICATE**

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

**BOUNDARY DESCRIPTION**

A parcel of land, situate in the Northwest Quarter of Section 10, Township 3 South, Range 5 West, Salt Lake Base and Meridian, said parcel also located in Tooele, Utah, more particularly described as follows:

All of Lot 1, Oristruts Minor Subdivision as recorded and on file in the Tooele County Recorder's Office as Entry #496020, more particularly described as follows:

Beginning at a point on the north line of 2400 North Street, said point being North 0°25'28" West 42.00 feet along the Quarter Section line from the found monument representing the Center of Section 10, Township 3 South, Range 4 West, Salt Lake Base and Meridian, and running:

thence South 89°41'08" West 1249.06 feet along the north line of said 2400 North Street;

thence Northwest 46.28 feet along the arc of a 29.50-foot radius tangent curve to the right (center bears North 0°15'52" West and the long chord bears North 45°22'23" West 41.88 feet with a central angle of 89°52'59") to the east line of 600 East Street;

thence North 0°25'33" West 270.89 feet along said east line;

thence North 89°41'03" East 1278.54, to the Quarter Section Line;

thence South 0°25'28" East 300.36 feet along said Quarter Section Line; to the point of beginning.

Parcel contains 383,807 square feet or 8.81 acres, 5 Lots.

Date: **APRIL 7, 2021**  
 Douglas J. Kinsman  
 License no. 334574

**OWNER'S DEDICATION AND CONSENT TO RECORD**

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

**ORISTRUTS SUBDIVISION AMENDED**  
 (AMENDING LOT 1 OF ORISTRUTS MINOR SUBDIVISION)

The undersigned owner(s) hereby convey to Tooele City and to any and all public utility companies providing service to the hereon described tract a perpetual, non-exclusive easement over the public street and public utility and drainage easements shown on this plat, the same to be used for drainage and for the installation, maintenance and operation of public utility service lines and facilities. The undersigned owner(s) also hereby convey any other easements as shown to the parties indicated and for the purpose shown hereon.

In witness whereof I / we have hereunto set my / our hand this \_\_\_\_\_ day of \_\_\_\_\_ A.D. 20\_\_.

Off Road Innovations, Inc.  
 By: Mark Andrew Jensen, President CEO

Off Road Innovations, Inc.  
 By: Marie Jensen, Vice President Corporate Secretary

**CORPORATE ACKNOWLEDGMENT**

STATE OF UTAH County of Tooele J.S.S.

On the \_\_\_\_\_ day of \_\_\_\_\_ A.D. 20\_\_ personally appeared before me, the undersigned Notary Public, in and for said County of \_\_\_\_\_ in the State of Utah, who after being duly sworn, acknowledged to me that He/She is the \_\_\_\_\_ and that He/She signed the Owner's Dedication freely and voluntarily for and in behalf of said Corporation by authority of a resolution of its Board of Directors for the purposes therein mentioned and acknowledged to me that said Corporation executed the same.

MY COMMISSION EXPIRES: \_\_\_\_\_

RESIDING IN \_\_\_\_\_ COUNTY.

**CORPORATE ACKNOWLEDGMENT**

STATE OF UTAH County of Tooele J.S.S.

On the \_\_\_\_\_ day of \_\_\_\_\_ A.D. 20\_\_ personally appeared before me, the undersigned Notary Public, in and for said County of \_\_\_\_\_ in the State of Utah, who after being duly sworn, acknowledged to me that He/She is the \_\_\_\_\_ and that He/She signed the Owner's Dedication freely and voluntarily for and in behalf of said Corporation by authority of a resolution of its Board of Directors for the purposes therein mentioned and acknowledged to me that said Corporation executed the same.

MY COMMISSION EXPIRES: \_\_\_\_\_

RESIDING IN \_\_\_\_\_ COUNTY.

**ROCKY MOUNTAIN POWER COMPANY**

1. PURSUANT TO UTAH CODE ANN. § 54-3-27 THIS PLAT CONVEYS TO THE OWNER(S) OR OPERATORS OF UTILITY FACILITIES A PUBLIC UTILITY EASEMENT ALONG WITH ALL THE RIGHTS AND DUTIES DESCRIBED THEREIN.

2. PURSUANT TO UTAH CODE ANN. § 17-27A-603(4)(C)(III) ROCKY MOUNTAIN POWER ACCEPTS DELIVERY OF THE PUE AS DESCRIBED IN THIS PLAT AND APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS AND APPROXIMATES THE LOCATION OF THE PUBLIC UTILITY EASEMENTS, BUT DOES NOT WARRANT THEIR PRECISE LOCATION. ROCKY MOUNTAIN POWER MAY REQUIRE OTHER EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT AFFECT ANY RIGHT THAT ROCKY MOUNTAIN POWER HAS UNDER A RECORDED EASEMENT OR RIGHT-OF-WAY.

(1) THE LAW APPLICABLE TO PRESCRIPTIVE RIGHTS

(2) TITLE 54, CHAPTER 8A, DAMAGE TO UNDERGROUND UTILITY FACILITIES OR ANY OTHER PROVISION OF LAW.

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_

ROCKY MOUNTAIN POWER

BY \_\_\_\_\_

TITLE \_\_\_\_\_

**DOMINION ENERGY**

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

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_

DOMINION ENERGY

BY \_\_\_\_\_

TITLE \_\_\_\_\_

**CITY COUNCIL**

APPROVED AS TO FORM THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_ BY THE TOOELE CITY COUNCIL.

CHAIRMAN TOOELE CITY COUNCIL

**DEVELOPER**  
 OFF ROAD INNOVATIONS, INC  
 200 CAMPBELL AVENUE  
 BOWDEN, GEORGIA 30108  
 MARK JENSEN  
 770-258-1554

**CITY ENGINEER'S APPROVAL**

APPROVED AS TO FORM THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_ BY THE TOOELE CITY ENGINEER.

**CITY ATTORNEY'S APPROVAL**

APPROVED AS TO FORM THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_ BY THE TOOELE CITY ATTORNEY.

**COMMUNITY DEVELOPMENT APPROVAL**

APPROVED AS TO FORM ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_.

**COUNTY SURVEY DEPARTMENT**

APPROVED AS TO FORM THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_ BY THE TOOELE COUNTY SURVEY DEPARTMENT.  
 RECORD OF SURVEY FILE # 2021-0028 & 2006-0027-01

**COUNTY TREASURER APPROVAL**

APPROVED AS TO FORM THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_ BY THE TOOELE COUNTY TREASURER.

**PLANNING COMMISSION**

APPROVED AS TO FORM THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_ BY THE TOOELE CITY PLANNING COMMISSION.

**COUNTY HEALTH DEPARTMENT**

APPROVED AS TO FORM THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_ BY THE TOOELE COUNTY HEALTH DEPARTMENT.

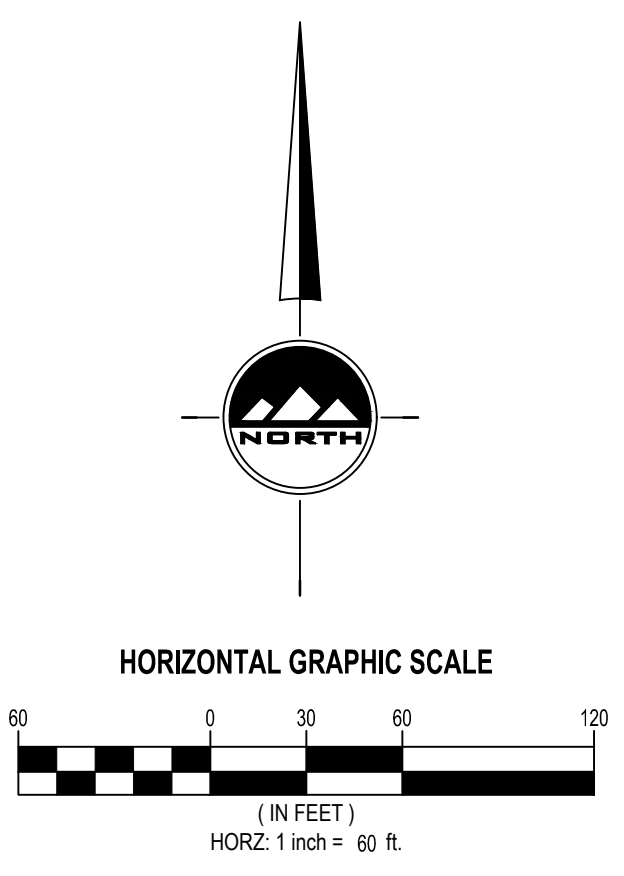
**ORISTRUTS SUBDIVISION AMENDED**  
 (AMENDING LOT 1 OF ORISTRUTS MINOR SUBDIVISION)

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

SHEET 1 OF 1  
 PROJECT NUMBER: T1200C  
 MANAGER: D. KINSMAN  
 DRAWN BY: J. CID  
 CHECKED BY: D. KINSMAN  
 DATE: 2021-04-07

**TOOELE COUNTY RECORDER**

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



**CITY ENGINEER'S APPROVAL**

APPROVED AS TO FORM THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_ BY THE TOOELE CITY ENGINEER.

**CITY ATTORNEY'S APPROVAL**

APPROVED AS TO FORM THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_ BY THE TOOELE CITY ATTORNEY.

**COMMUNITY DEVELOPMENT APPROVAL**

APPROVED AS TO FORM ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_.

**COUNTY SURVEY DEPARTMENT**

APPROVED AS TO FORM THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_ BY THE TOOELE COUNTY SURVEY DEPARTMENT.  
 RECORD OF SURVEY FILE # 2021-0028 & 2006-0027-01

**COUNTY TREASURER APPROVAL**

APPROVED AS TO FORM THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_ BY THE TOOELE COUNTY TREASURER.

**PLANNING COMMISSION**

APPROVED AS TO FORM THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_ BY THE TOOELE CITY PLANNING COMMISSION.

**COUNTY HEALTH DEPARTMENT**

APPROVED AS TO FORM THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_ BY THE TOOELE COUNTY HEALTH DEPARTMENT.

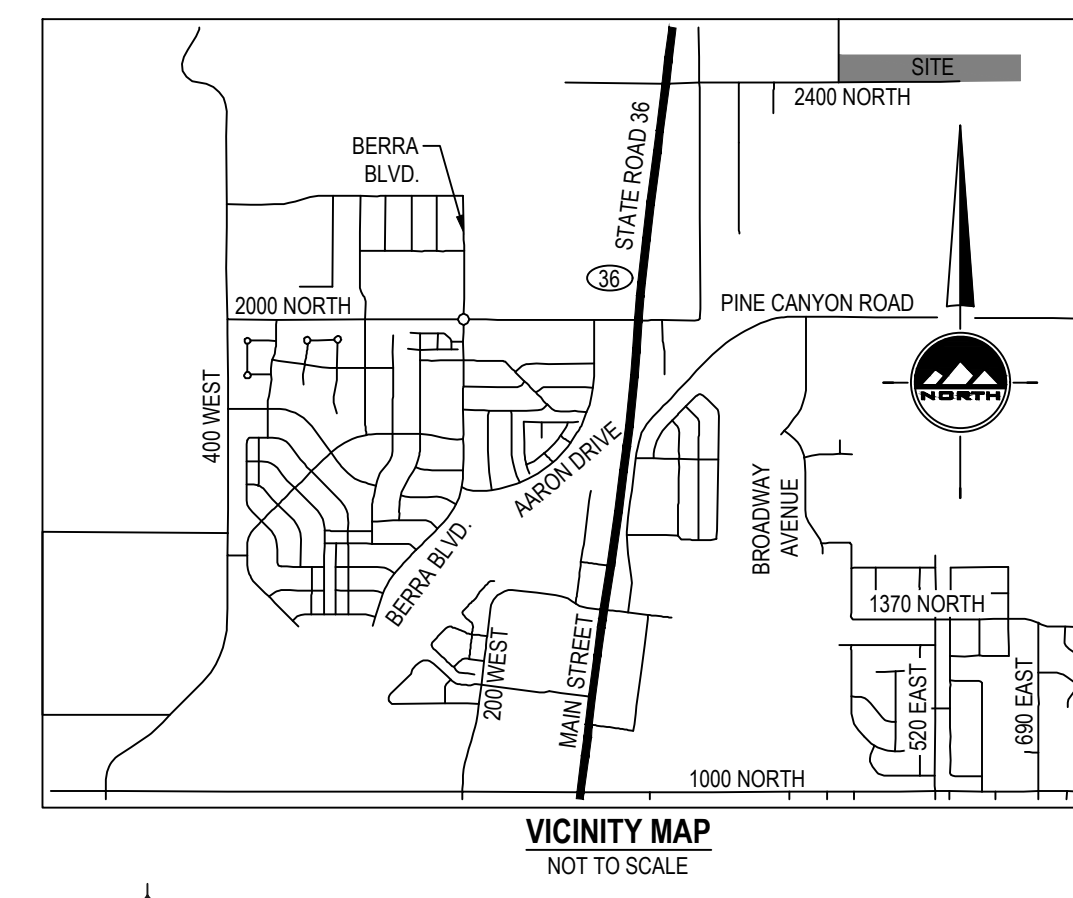


**811**  
CALL BLUESTAKES  
@ 811 AT LEAST 48 HOURS  
PRIOR TO THE  
COMMENCEMENT OF ANY  
CONSTRUCTION.  
Know what's below.  
Call before you dig.

**LEGEND**

	SECTION CORNER	PU&DE	PU&DE= PUBLIC UTILITY & DRAINAGE EASEMENT
	EXISTING MONUMENT	---	EASEMENTS
	PROPOSED MONUMENT	---	PROPERTY LINE
	EXISTING REBAR AND CAP	---	ADJACENT RIGHT OF WAY
	SET 5/8" x 24" REBAR WITH YELLOW PLASTIC CAP OR NAIL STAMPED "ENSGN ENG. & LAND SURV."	---	ADJACENT PROPERTY LINE
	SECTION QUARTER	---	TANGENT LINE

**FINAL PLAT**  
**FORD PERFORMANCE RACING SCHOOL SUBDIVISION**  
(VACATING AND AMENDING LOTS 2, 3, AND 4 OF ORISTRUTS SUBDIVISION AMENDED)  
LOCATED IN THE SOUTH HALF OF THE  
NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 3  
SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN,  
TOOELE CITY, TOOELE COUNTY, UTAH



**SURVEYOR'S CERTIFICATE**

I, Douglas J. Kinsman, do hereby certify that I am a Professional Land Surveyor, and that I hold License No. 334575, in accordance with Title 58, Chapter 22, of the Professional Engineers and Land Surveyors Act. I further certify that by authority of the owners I have completed a survey of the property described on this subdivision plat in accordance with Section 17-23-17, have verified all measurements, and have subdivided said tract of land into lots and streets, together with easements, hereafter to be known as Oristruts Subdivision Amendment 2 and that the same has been correctly surveyed and monumented on the ground as shown on this plat.

**BOUNDARY DESCRIPTION**

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

All of Lots 2, 3, and 4, Oristruts Subdivision Amended as recorded and on file in the Tooele County Recorder's Office as Entry #551227, more particularly describes as follows:

Beginning at a point on the north line of 2400 North Street, said point being North 0°25'28" West 42.00 feet along the Quarter Section line and South 89°41'08" West 327.19 feet along the said north line of 2400 North Street from the found monument representing the Center of Section 10, Township 3 South, Range 4 West, Salt Lake Base and Meridian, and running:

thence South 89°41'08" West 652.66 feet along the said north line of 2400 North Street;

thence North 300.34 feet;

thence North 89°41'03" East 652.66 feet;

thence South 300.35 feet to the said north line of 2400 North Street and to the Point of Beginning.

Parcel contains 196,020 square feet or 4.50 acres, 1 parcel.

*August 22, 2022*  
Date  
Douglas J. Kinsman  
License No. 334574

**OWNER'S DEDICATION AND CONSENT TO RECORD**

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

**FORD PERFORMANCE RACING SCHOOL SUBDIVISION (VACATING AND AMENDING LOTS 2, 3, AND 4 OF ORISTRUTS SUBDIVISION AMENDED)**

The undersigned owner(s) hereby convey to Tooele City and to any and all public utility companies providing service to the heron described tract a perpetual, non-exclusive easement over the public street and public utility and drainage easements shown on this plat, the same to be used for drainage and for the installation, maintenance and operation of public utility service lines and facilities. The undersigned owner(s) also hereby convey any other easements as shown to the parties indicated and for the purpose shown heron.

In witness whereof I / we have hereunto set my / our hand this \_\_\_\_\_ day of \_\_\_\_\_ A.D. 20\_\_\_\_.

Off Road Innovations, Inc.  
By: Mark Andrew Jensen, President CEO

Off Road Innovations, Inc.  
By: Marie Jensen, Vice President Corporate Secretary

**CORPORATE ACKNOWLEDGMENT**

STATE OF UTAH  
County of Tooele

J.S.S.

On the \_\_\_\_\_ day of \_\_\_\_\_ A.D. 20\_\_\_\_, personally appeared before me, the undersigned Notary Public, in and for said County of \_\_\_\_\_ in the State of Utah, who after being duly sworn, acknowledged to me that He/She is the \_\_\_\_\_ of \_\_\_\_\_ and that He/She signed the Owner's Dedication freely and voluntarily for and in behalf of said Corporation by authority of a resolution of its Board of Directors for the purposes therein mentioned and acknowledged to me that said Corporation executed the same.

MY COMMISSION EXPIRES: \_\_\_\_\_

RESIDING IN \_\_\_\_\_ COUNTY.

NOTARY PUBLIC

**CORPORATE ACKNOWLEDGMENT**

STATE OF UTAH  
County of Tooele

J.S.S.

On the \_\_\_\_\_ day of \_\_\_\_\_ A.D. 20\_\_\_\_, personally appeared before me, the undersigned Notary Public, in and for said County of \_\_\_\_\_ in the State of Utah, who after being duly sworn, acknowledged to me that He/She is the \_\_\_\_\_ of \_\_\_\_\_ and that He/She signed the Owner's Dedication freely and voluntarily for and in behalf of said Corporation by authority of a resolution of its Board of Directors for the purposes therein mentioned and acknowledged to me that said Corporation executed the same.

MY COMMISSION EXPIRES: \_\_\_\_\_

RESIDING IN \_\_\_\_\_ COUNTY.

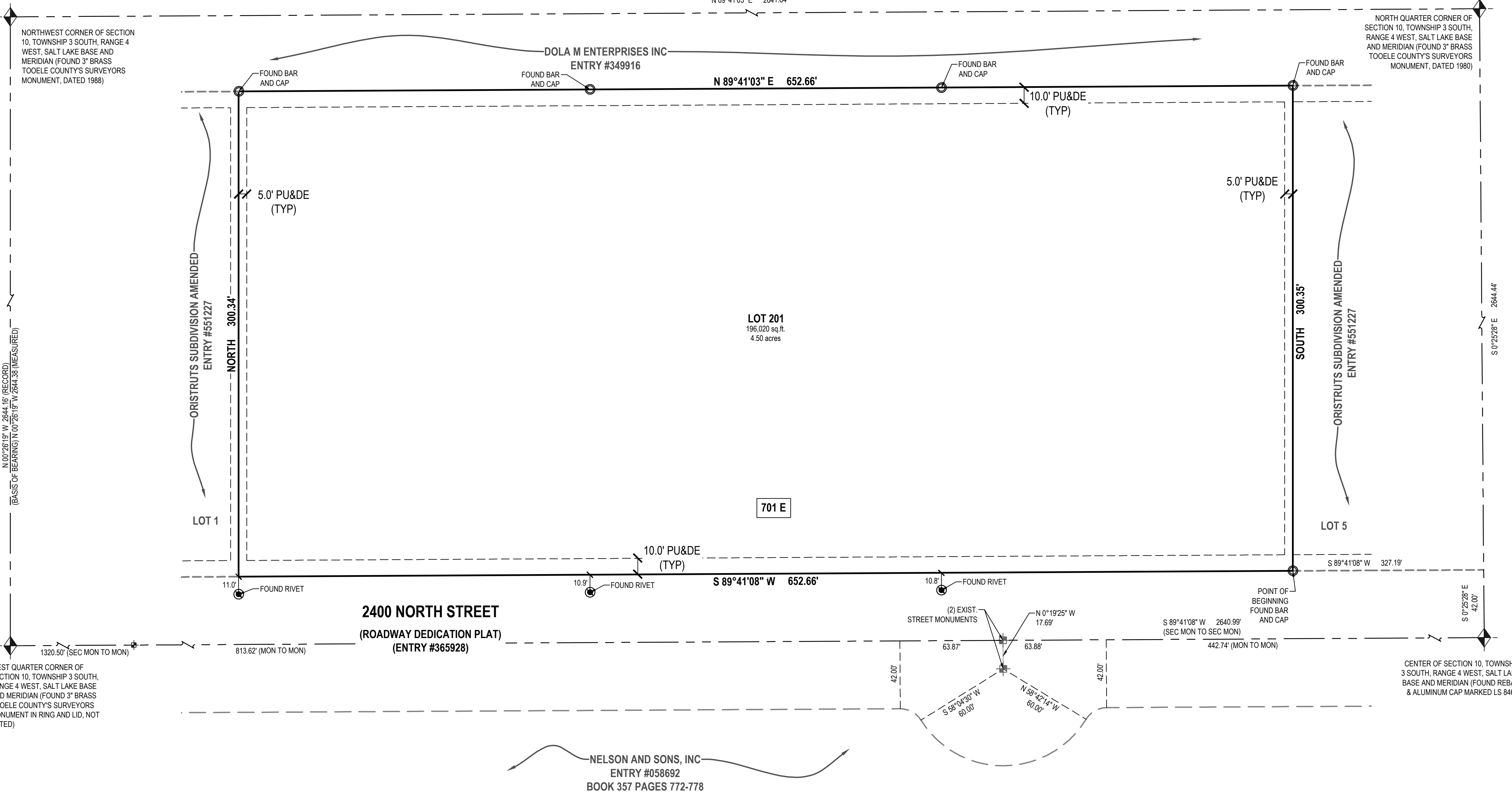
NOTARY PUBLIC

**FORD PERFORMANCE RACING SCHOOL SUBDIVISION**  
(VACATING AND AMENDING LOTS 2, 3, AND 4 OF ORISTRUTS SUBDIVISION AMENDED)

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

	<b>TOOELE</b> 163 North Main Street Unit 1 Tooele, Utah 84074 Phone: 435-843-3590 Fax: 435-578-0108	<b>SALT LAKE CITY</b> Phone: 801-255-0529	<b>LAYTON</b> Phone: 801-541-1100	<b>CEDAR CITY</b> Phone: 435-865-1453	<b>RICHFIELD</b> Phone: 435-866-2983
WWW.ENSGNENG.COM					

**SHEET 1 OF 1**  
PROJECT NUMBER: T1200J  
MANAGER: D. KINSMAN  
DRAWN BY: T. HUSSEY  
CHECKED BY: D. KINSMAN  
DATE: 5/25/2022



**ROCKY MOUNTAIN POWER COMPANY**

1. PURSUANT TO UTAH CODE ANN. § 54-3-27 THIS PLAT CONVEYS TO THE OWNER(S) OR OPERATORS OF UTILITY FACILITIES A PUBLIC UTILITY EASEMENT ALONG WITH ALL THE RIGHTS AND DUTIES DESCRIBED THEREIN.

2. PURSUANT TO UTAH CODE ANN. § 17-27A-803(4)(C)(II) ROCKY MOUNTAIN POWER ACCEPTS DELIVERY OF THE PUE AS DESCRIBED IN THIS PLAT AND APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS AND APPROXIMATES THE LOCATION OF THE PUBLIC UTILITY EASEMENTS, BUT DOES NOT WARRANT THEIR PRECISE LOCATION. ROCKY MOUNTAIN POWER MAY REQUIRE OTHER EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT AFFECT ANY RIGHT THAT ROCKY MOUNTAIN POWER HAS UNDER:

(1) A RECORDED EASEMENT OR RIGHT-OF-WAY

(2) THE LAW APPLICABLE TO PRESCRIPTIVE RIGHTS

(3) TITLE 54, CHAPTER 8A, DAMAGE TO UNDERGROUND UTILITY FACILITIES OR

(4) ANY OTHER PROVISION OF LAW.

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

ROCKY MOUNTAIN POWER

BY \_\_\_\_\_

TITLE \_\_\_\_\_

**DOMINION ENERGY**

DOMINION ENERGY APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS. DOMINION ENERGY MAY REQUIRE OTHER EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT CONSTITUTE A GUARANTEE OF PARTICULAR TERMS OF NATURAL GAS SERVICE. FOR FURTHER INFORMATION PLEASE CONTACT DOMINION ENERGY'S RIGHT-OF-WAY DEPARTMENT AT 1-800-366-8532.

NOTE:  
1. EACH LOT WILL BE REQUIRED TO PROVIDE ONSITE STORM WATER DETENTION / RETENTION PER TOOELE CITY CODE.

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

DOMINION ENERGY

BY \_\_\_\_\_

TITLE \_\_\_\_\_

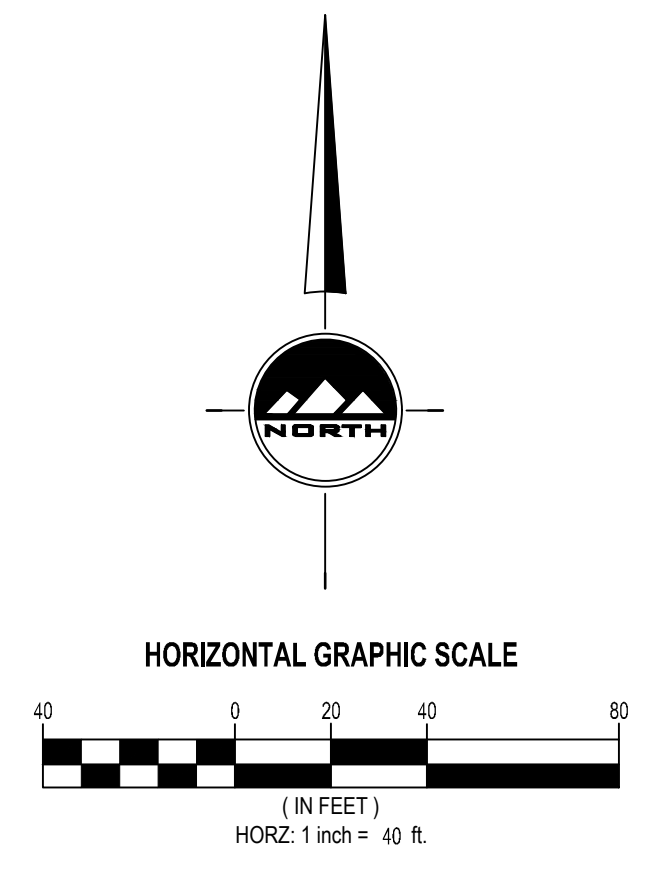
**CITY COUNCIL**

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

BY THE TOOELE CITY COUNCIL.

CHAIRMAN TOOELE CITY COUNCIL

**DEVELOPER**  
COOK BUILDERS  
1231 1300 W STE A  
CENTERVILLE, UT 84014  
AUSTIN ANDERSEN  
801-462-7362



**CITY ENGINEER'S APPROVAL**

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

BY THE TOOELE CITY ENGINEER

TOOELE CITY ENGINEER

**CITY ATTORNEY'S APPROVAL**

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

BY THE TOOELE CITY ATTORNEY.

**AS TO FORM**

TOOELE CITY ATTORNEY

**COMMUNITY DEVELOPMENT APPROVAL**

APPROVED ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_\_\_.

TOOELE CITY COMMUNITY DEVELOPMENT

**COUNTY SURVEY DEPARTMENT**

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

BY THE TOOELE COUNTY SURVEY DEPARTMENT.

RECORD OF SURVEY FILE # 2021-0026 & 2006-0027-01

TOOELE COUNTY SURVEY DIRECTOR

**COUNTY TREASURER APPROVAL**

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

BY THE TOOELE COUNTY TREASURER.

TOOELE COUNTY TREASURER

**PLANNING COMMISSION**

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

BY THE TOOELE CITY PLANNING COMMISSION.

CHAIRMAN TOOELE CITY PLANNING COMMISSION

**COUNTY HEALTH DEPARTMENT**

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

BY THE TOOELE COUNTY HEALTH DEPARTMENT.

TOOELE COUNTY HEALTH DEPARTMENT

**TOOELE COUNTY RECORDER**

RECORDED # \_\_\_\_\_

STATE OF UTAH, COUNTY OF TOOELE, RECORDED AND FILED AT THE

REQUEST OF: \_\_\_\_\_

DATE: \_\_\_\_\_ TIME: \_\_\_\_\_

FEES \_\_\_\_\_

TOOELE COUNTY RECORDER

**STAFF REPORT**

December 7, 2022

**To:** Tooele City Planning Commission  
Business Date: December 14, 2022

**From:** Planning Division  
Community Development Department

**Prepared By:** Andrew Aagard, City Planner / Zoning Administrator

**Re: Western Acres Phase 2A – Site Plan Design Review Request**

Application No.: P22-439  
Applicant: Mike DeCarlo, representing DR Horton  
Project Location: Approximately 1800 North 300 East  
Zoning: MR-16 PUD Multi-Family Residential Zone  
Acreage: 11.4 Acres (Approximately 496,584 ft<sup>2</sup>)  
Request: Request for approval of a Site Plan Design Review in the MR-16 PUD Multi-Family Residential zone regarding the construction of 121 town homes in the Western Acres Development.

**BACKGROUND**

This application is a request for approval of a Site Plan Design Review for approximately 11.4 acres located at approximately 1800 North 300 East. The property is currently zoned MR-16 PUD Multi-Family Residential. The applicant is requesting that a Site Plan Design Review be approved to allow for the development of the currently vacant site as 121 individually owned town house units.

**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 PUD Multi-Family Residential zoning classification, supporting approximately sixteen dwelling units per acre. The MR-16 PUD 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 of Phase 2A are zoned LI Light Industrial and MR-16 PUD (Phase 1 of Western Acres). Properties to the east and south are zoned MR-16 PUD and are also part of the Western Acres development. Properties to the west are zoned GC General Commercial but are utilized as the legally non-conforming Overpass Point mobile home park. Mapping pertinent to the subject request can be found in Exhibit “A” to this report.

The MR-16 zoning for the Western Acres Development has a PUD Planned Unit Development overlay attached to it. The PUD established and altered design criteria that are found in the MR-16 zoning ordinance as well as Tooele City Code 7-11a Multi-Family Residential Design Guidelines. The PUD criteria that are applicable to the multi-family residential phases are a reduction in dwelling unit size from 1200 square feet to 800 square feet, a reduction in the setback between buildings from 15 feet to 12 feet, a substitution of the required 1000 square foot interior social space with additional site amenities, and an elimination of the 50% brick and stone requirement on the exterior of the buildings in favor of stucco, fiber cement siding, wood, masonry block, brick and stone.

Site Plan Layout. Phase 2A of the Western Acres development picks up where Phase 1 ended and is sandwiched between Phase 1 to the east, Pine Canyon Road and Overpass Point to the west. All accesses to Pine Canyon Road are constructed with Phase 1 so Phase 2A is proposing no new accesses to public streets and will connect to existing stubs provided in Phase 1. All streets within the development are proposed to be private roads, owned and maintained by the development.

The plan proposes the construction of 121 individually owned townhomes. There are three types of townhomes proposed in Phase 2A. Townhomes adjacent to Pine Canyon Road will be rear entry townhomes with the garages accessed from internal roads. The majority of townhomes in this phase will be front loaded townhomes where the garage is on the front of the home. All of these townhomes will access the interior private roads. At third type of townhome is being proposed and that is a townhome with no garage. These town homes are located adjacent to Patchwork Avenue and adjacent to Ten Hens Avenue.

The Middle Canyon drainage runs north to south along the west side of Phase 2A, immediately adjacent to Overpass Point mobile home park. DR Horton is improving this drainage to accommodate the new development, install a trail and vehicle maintenance path and other improvements to ensure proper flood control through this area. Alterations to the flood plain are reviewed by Tooele City but are also reviewed and approved by FEMA of the Federal Government. The applicant is working through these approvals with FEMA.

Subdivision Layout. The subdivision layout follows identically the site plan as the site plan dictates lot boundaries, limited common areas and common areas.

Landscaping. At least 25% of the 11.4 acre development is landscaping, not including the semi private patio space of each town house that will be landscaped by the owner. Typical landscaping requirements are 25% and the development is at the landscape minimum requirements.

Irrigated sod areas are proposed along public street frontages, adjacent to parking areas and where separations between buildings are greater than 15 feet.

Trees have been strategically placed between buildings as required by ordinance, in front of buildings where there is sufficient space to accommodate the future growth habit of a tree and along the frontages of Pine Canyon Road. In total 326 trees are proposed for planting in Phase 1 alone.

Shrub beds are proposed in common areas around and in between the buildings and where building foundations are adjacent to irrigated common areas. These planting areas will incorporate 1,488 deciduous shrubs, evergreen shrubs and ornamental grasses.

All of the shrubs, trees, grasses and sodded areas will be irrigated by an in-ground pressurized irrigation system. Trees and shrubs will be irrigated by drip and bubble systems while sodded areas will utilize spray heads and rotors.

Parking. Under current parking standards town homes that provide a two car garage and a two car driveway are not required to provide any guest parking stalls as the new ordinance considers the guest parking stalls as driveway space on homes with two car garages. The majority of the units provided in Phase 2A will have a two car garage and a two car driveway and thus satisfy the parking requirement. However, 34 of the proposed townhomes will not have garages. In this case, two parking stalls are required for each of these units in addition to 1 parking stall for every 4 units. Adjacent parking areas for these town homes provide the required 2 parking stalls, with one of those stalls needing to be covered by either a canopy or garage structure. There are also an extra 35 available parking stalls being provided



adjacent to the interior roads to provide guest parking as needed. The development as proposed and under new parking standards for townhomes with garages, exceeds the minimum parking requirements as established by the multi-family residential guidelines.

Architecture. The PUD overlay removed the requirement that 50% of exterior materials be stone or brick. The applicant's product features a predominantly fiber cement and board & batten exterior finish. There are two styles of units proposed for this phase. Interior units are the typical front loaded style town house where the garage and main entry are on the front side of the structure. These units propose the use of fiber cement siding on the front with stucco finishes on the side and rear facade. Each entrance is enhanced by a covered porch with columns on each side. The roofline is stepped to provide roofline variation and there are plenty of "pop outs" to provide the required horizontal variation on other elevations. Each window is framed with trim and lintels.

Exterior units, or units facing Pine Canyon and Copper Canyon Roads are rear loaded style units. The garage enters from the back of the unit and the main entrance is on the front of the unit, facing the roads. These units incorporate the same exterior finish materials as the front loaded units and provide plenty of roofline variation and horizontal variation on the front facades. Each unit incorporates a covered porch on the front façade.

The proposed buildings have been reviewed against the design criteria for vertical and horizontal variation and exterior materials (where applicable due to PUD requirements). The units do comply with the architectural requirements as set forth in Tooele City code 7-11a.

Amenities. The number of amenities required is based upon the number of units being proposed. Western Acres was presented as being amenity heavy, in fact, one of the PUD qualifications reduced the requirement for a club house in favor of additional amenities. However, you'll note that Phase 1 provided only one amenity, that being a child tot lot tucked in with some corner lot landscaping. Phase 2A, however, provides more amenities and makes up for the lack of amenities in Phase 1. Phase 2A will provide 7 amenities such as a picnic pavilion and tables, a hammock grotto, another child play structure, a terra park, fitness apparatus along the trail, sand diggers with benches and a community walking trail in the Middle Canyon drainage. It should be noted that this trail being constructed in the flood plain will eventually connect with the trails being constructed through England Acres Park and England Ridge Subdivision. The City is currently working to acquire additional trail right of way and extend the trail further south.

Signage. Required signage for this development will be constructed as part of Phase 1. No new signage is necessary for Phase 2A.

Fencing. The only location where fencing is required is where the project is adjacent to the Overpass Point mobile home park. In this case the ordinance requires a 6 foot solid sight obscuring fence with masonry piers spaced at equidistant locations throughout. The plans do not demonstrate the fencing type proposed by the applicant in this location.

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:

Section 7-11-6. Approval. The Planning Commission, shall determine whether the proposed architectural and site development plans submitted are consistent with [Chapter 7-11 TCC] and with the general policies and objectives of [Title 7 TCC], and shall give or withhold approval accordingly. Before making this determination, the Planning Commission shall receive the

written recommendations of the City Engineer, the Accessibility Committee, and the Fire Chief. Such recommendation may be by letter, memorandum, or signature on the plans.

Section 7-11-8. Considerations in review of applications. The Planning Commission and the Engineering Department shall consider the following matters, among others, in their review of applications:

- (1) Considerations relating to traffic safety and traffic congestion:
  - (a) The effect of the site development plan on traffic conditions on abutting streets.
  - (b) The layout of the site with respect to locations and dimensions of vehicular and pedestrian entrances, exits, drives, and walkways.
  - (c) The arrangement and adequacy of off-street parking facilities to prevent traffic congestion.
  - (d) The location, arrangement, and dimensions of truck loading and unloading facilities.
  - (e) The circulation patterns within the boundaries of the development.
  - (f) The surfacing and lighting of off-street parking facilities.
- (2) Considerations relating to outdoor advertising:
  - (a) The number, location, color, size, height, lighting, and landscaping of outdoor advertising signs and structures in relation to the creation of traffic hazards and the appearance and harmony with neighboring development.
- (3) Considerations relating to landscaping:
  - (a) The location, height, and materials of walls, fences, hedges, and screen plantings to insure harmony with neighboring development, or to conceal storage areas, utility installations, or other unsightly development.
  - (b) The planting of ground cover or other surfacing to prevent dust and erosion.
  - (c) The unnecessary destruction of existing healthy trees.
- (4) Considerations relating to buildings and site layout:
  - (a) Consideration of the general silhouette and mass, including location on the site, elevations, and relation to natural plant coverage, all in relationship to neighboring development.
  - (b) Consideration of exterior design in relation to adjoining structures in height, bulk, and area openings, breaks in facade facing on streets, line and pitch of roofs, and the arrangement of structures on the parcel.
- (5) Considerations relating to drainage:
  - (a) The effect of the site development plan on the adequacy of the storm and surface water drainage, retention, and/or detention.

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

## **REVIEWS**

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



1. The applicant needs to coordinate fencing improvements with the Overpass Point development to the west. If solid fencing is not present the applicant will need to install solid, view obscuring fencing with masonry piers spaced at equidistant locations throughout.
2. The site plan, landscape plan and building elevations as proposed do meet or exceed minimum design requirements as found in the Tooele City multi-family residential design guidelines as well as the PUD qualifications.
3. Other than minor variations in lot frontages and locations the proposed Phase 2A closely follows and resembles the overall PUD plan that was approved for the entire Western Acres development.

Engineering and Public Works Divisions 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 with the following proposed condition:

1. The flood plain shall be completed and accepted by FEMA prior to Phase 2A Final Subdivision Plat approval.

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.

### **STAFF RECOMMENDATION**

Staff recommends approval of the request for a Site Plan Design Review by Mike DeCarlo, representing DR Horton, application number P22-439, 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.
5. Solid sight obscuring fencing with masonry piers spaced at equidistant locations installed along the property line adjacent to the Overpass Point mobile home park, if solid fencing is not currently present.
6. That the flood plain shall be completed and accepted by FEMA prior to Phase 2A Final Subdivision Plat approval.

This recommendation is based on the following findings:

1. The proposed development plans meet the intent, goals, and objectives of the Master Plan.
2. The proposed development plans meet the intent, goals, and objectives of the Tooele City General Plan.
3. The proposed development plans meet the requirements and provisions of the Tooele

- City Code.
4. The proposed development plans will not be deleterious to the health, safety, and general welfare of the general public nor the residents of adjacent properties.
  5. The proposed development conforms to the general aesthetic and physical development of the area.
  6. The public services in the area are adequate to support the subject development.
  7. The site plan, landscape plan and building elevations as proposed do meet or exceed minimum design requirements as found in the Tooele City multi-family residential design guidelines as well as the PUD qualifications.
  8. Other than minor variations in lot frontages and locations the proposed Phase 2A closely follows and resembles the overall PUD plan that was approved for the entire Western Acres development.

### **MODEL MOTIONS**

Sample Motion for Approval – “I move we approve the Site Plan Design Review Request by Mike DeCarlo, representing DR Horton to approve the site plan for Phase 2A of the Western Acres development, application number P22-439, based on the findings and subject to the conditions listed in the Staff Report dated December 7, 2022:”

1. List any additional findings and conditions...

Sample Motion for Denial – “I move we deny the Site Plan Design Review Request by Mike DeCarlo, representing DR Horton to approve the site plan for Phase 2A of the Western Acres development, application number P22-439, based on the following findings:”

1. List findings...

**EXHIBIT A**

**MAPPING PERTINENT TO THE WESTERN ACRES PHASE 2A SITE PLAN DESIGN  
REVIEW**

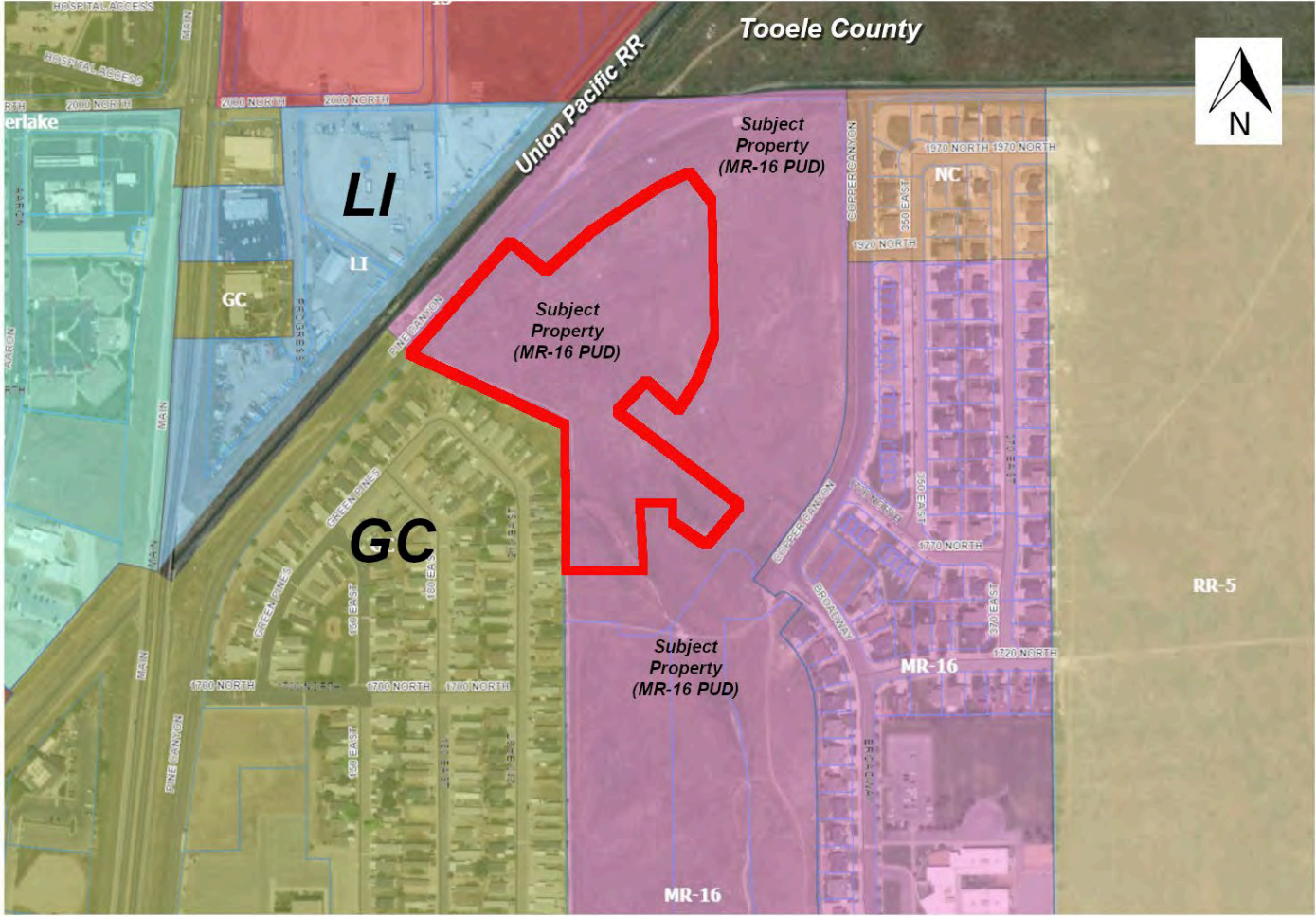
# Western Acres Phase 2A Site Plan Design Review



**Aerial View**



# Western Acres Phase 2A Site Plan Design Review



Current Zoning



**EXHIBIT B**

**PROPOSED DEVELOPMENT PLANS &  
APPLICANT SUBMITTED INFORMATION**

# Multi-Family Residential Site Plan Application

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



*Notice:* The applicant must submit copies of the plans to be reviewed by the City in accordance with the terms of the Tooele City Code. Once a Multi-Family Residential Site Plan application is 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 Multi-Family Residential Site Plan proposals shall be reviewed in accordance with the Tooele City Code. Submission of a Multi-Family Residential Site Plan application in no way guarantees placement of the application on any particular agenda of any City reviewing body. It is **strongly** advised that all plans be submitted well in advance of any anticipated deadlines.

Project Information						22439		
Date of Submission: 4/15/22	Submittal #: <input checked="" type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4		Zone: MR-16	Acres: 11.436	Parcel #(s): 02-123-0-0033			
Project Name: Western Acres Phase 2a								
Project Address: 2000 N Copper Canyon Dr								
Project Description: PUD Townhomes				Phases: Phase 2a	Lots/Units: 121			
Property Owner(s): Gmnobl Western Acres LLC				Applicant(s): DR Horton				
Address: 181 South 750 West				Address: 12351 Gateway Park Place, Suite D-100				
City: North Salt Lake	State: UT	Zip: 84054		City: Draper	State: UT	Zip: 84020		
Phone: 801.298.2988	Email: ajgreen@gmnobl.com			Phone: 801-571-7101	Email: klkinder@drhorton.com			
Contact Person: <del>Korey Kinder</del> Mike DeCarlo				Address: 12351 Gateway Park Place, Suite D-100				
Phone: 385-226-2393 / 801.870.4483				City: Draper	State: UT	Zip: 84020		
Cellular:	Fax: 801.298.2697			Email: <del>klkinder@drhorton.com</del> MR.DeCarlo@DRHorton.com				
Engineer & Company: Wilding Engineering				Surveyor & Company: Same as Engineer				
Address: 14721 S. Heritage Crest Way, ,				Address:				
City: Bluffdale	State: UT	Zip:		City:	State:	Zip:		
Phone: 801.553.8112	Email: mcarlton@wildingengineering.com			Phone:	Email:			

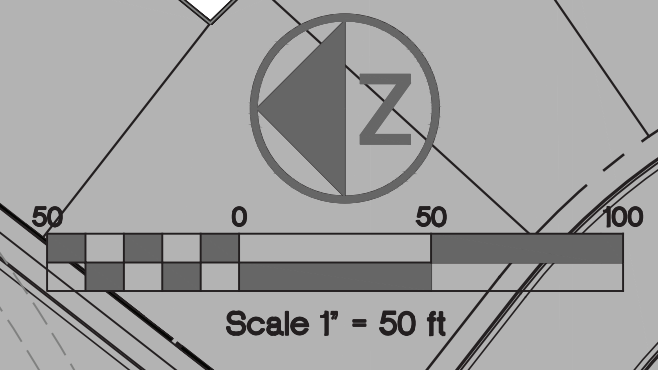
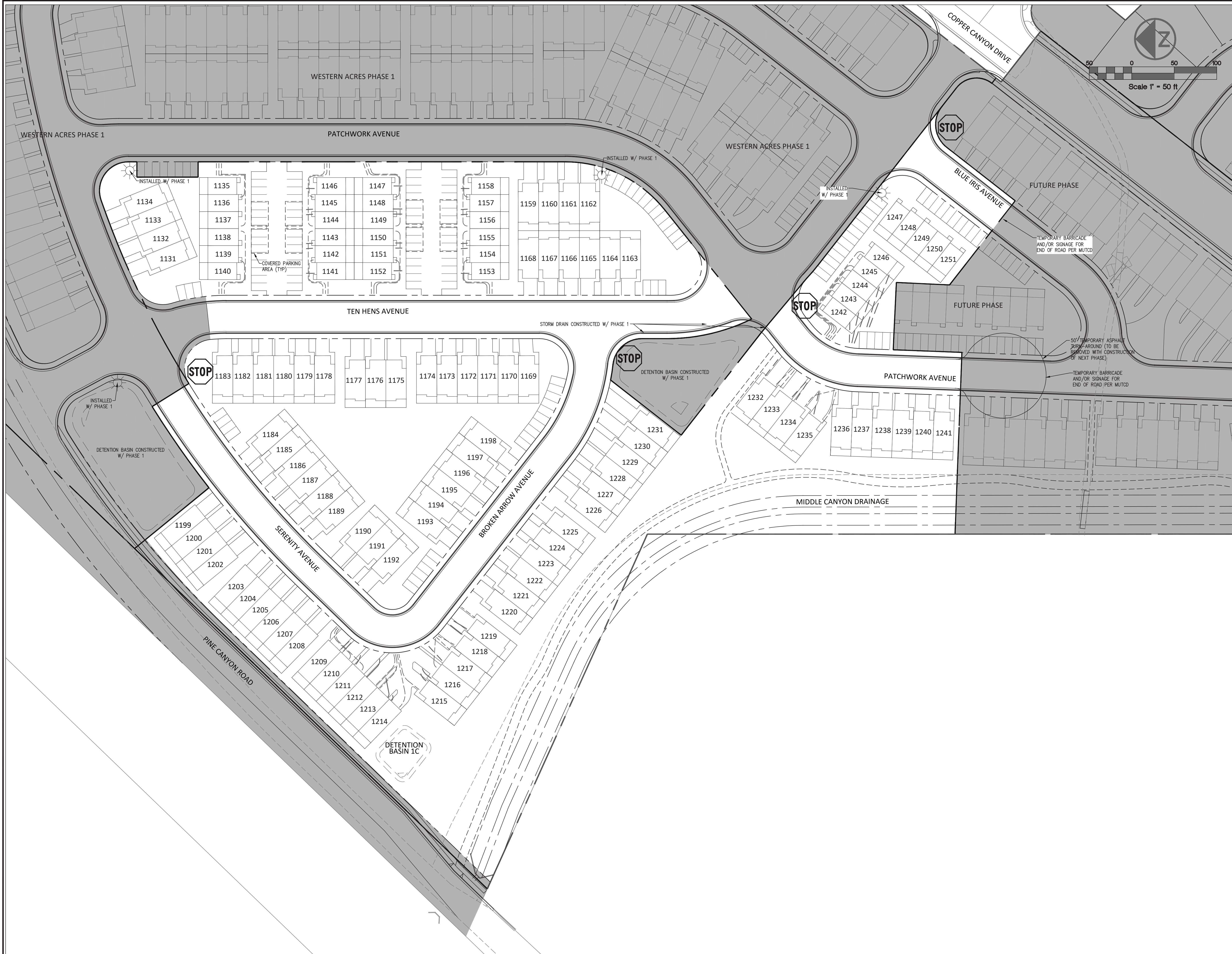
\*The application you are submitting will become a public record pursuant to the provisions of the Utah State Government Records Access and Management Act (GRAMA). You are asked to furnish the information on this form for the purpose of identification and to expedite the processing of your request. This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

**Note:**

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

For Office Use Only						222 0445		
Received By:			Date Received:			App. #:		
City Planner Review			City Engineer Review			Date		
First Review Corrections Needed <input type="checkbox"/> Yes <input type="checkbox"/> No			Date Plans & Comments Returned					
Second Review Corrections Needed <input type="checkbox"/> Yes <input type="checkbox"/> No			Date Plans & Comments Returned					
Planning Commission Date			<input type="checkbox"/> Approved <input type="checkbox"/> Denied			Decision Date		





**WILDING**  
ENGINEERING

14721 SOUTH HERITAGE CREST WAY  
BLUFFDALE, UTAH 84065  
801.553.8112  
WWW.WILDINGENGINEERING.COM

DRAWING NOTES:  
1. ADDRESSING SIGNS ARE REQUIRED AT ALL INTERSECTIONS PER TOOELE CITY STANDARD DETAIL.

**LEGEND**



NO.	REVISION	DATE
2	TOOELE CITY COMMENT	7/18/22
1	TOOELE CITY COMMENT	6/16/22

PROJECT INFORMATION  
**WESTERN ACRES PHASE 2A**  
SIGNAGE AND STREETLIGHT PLAN  
TOOELE CITY, UTAH

DRAWN <b>TMC</b>	CHECKED <b>MEC</b>	PROJECT # <b>19195</b>
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DATE  
**4/7/22**

SCALE  
**1" = 50'**

SHEET  
**C204**



G:\DATA\19195 DR Horton Western Acres.dwg Phase 2A\Western Acres Ph. 2A C101 Overall Sheets.dwg PLOT DATE: Jul 16, 2022





**PLANT LEGEND**

DECIDUOUS TREES	CODE	QTY	BOTANICAL / COMMON NAME	CONT	CAL
	Af/g	25	Acer raticarum 'GarAnn' Hot Wings Tatarian Maple	B & B	Multi-trunked
	As'u	19	Acer truncatum x platanoides 'JFS-KW187' Urban Sunset Maple	B & B	2"Cal
	Bp/p	87	Betula platyphylla 'Jefpark' Parkland Pillar Birch	B & B	2"Cal
	Fr'n	14	Forsythera neomexicana New Mexican Olive	15 gal	
	Ma/m	12	Maselia amurensis 'JFS-Schieffel' MaasNifecet Maselia	B & B	2"Cal
	MRS	12	Malus x 'JFS KW213MX' Raspberry Spear Crabapple	B & B	2"Cal
	P'sp	6	Prunus x virginiana 'PM025' Sucker Punch Chokecherry	B & B	2"Cal
	Ux'f	13	Ulmus x 'Frontier' Frontier Elm	B & B	2"Cal
	Zs'b	14	Zelkova serrata 'Burgundy Vase' Burgundy Vase Zelkova	B & B	2"Cal
	Zs'm	29	Zelkova serrata 'Musashino' Musashino Zelkova	B & B	2"Cal
EVERGREEN TREES	CODE	QTY	BOTANICAL / COMMON NAME	CONT	CAL
	Js'b	95	Juniperus Scopulorum 'Blue Arrow' Blue Arrow Juniper	6" MIN.	
DECIDUOUS SHRUBS	CODE	QTY	BOTANICAL / COMMON NAME	CONT	
	Cn'f	84	Chamaeneria millefolium Fernbush	5 gal	
	Ch'r	95	Cotoneaster horizontalis Rock Cotoneaster	5 gal	
	Ps'f	64	Physocarpus opulifolius 'UMNHarpell' Fireside TM Fireside Ninebark	5 gal	
	Pf'g	16	Potentilla fruticosa 'Gold Drop' Gold Drop Potentilla	5 gal	
	Rg'l	8	Rhus aromatica 'Gro-Low' Gro-Low Sumac	5 gal	
EVERGREEN SHRUBS	CODE	QTY	BOTANICAL / COMMON NAME	CONT	
	Jc'd	16	Juniperus chinensis 'Daub's Frosted' Daub's Frosted Juniper	5 gal	
GRASSES	CODE	QTY	BOTANICAL / COMMON NAME	CONT	
	Fi'm	332	Festuca mairii Atlas Fescue	1 gal	
	M'm	234	Miscanthus sinensis 'Morning Light' Morning Light Maiden Grass	2 gal	
	Pv'n	147	Panicum virgatum 'North Wind' Northwind Switch Grass	1 gal	
	Pv's	492	Panicum virgatum 'Shenandoah' Shenandoah Switch Grass	1 gal	
	S'p	233	Schizachyrium scoparium 'Prairie Blues' Latic Bluestem Grass	1 gal	
ROSES	CODE	QTY	BOTANICAL / COMMON NAME	CONT	
	RDK	34	Rosa x 'Radiko' Double Knock Out Rose	5 gal	

**SITE MATERIALS LEGEND**

SYMBOL	LANDSCAPE DESCRIPTION	QTY
	1-01 SODDED LAWN AREA LAWN AREAS SHALL BE SOD. NEW TURF AREAS TO BE SODDED WITH 18% "BLUESTAR KENTUCKY BLUEGRASS, 19% "MARQUIS" KENTUCKY BLUEGRASS, 17% "NEWPORT" KENTUCKY BLUEGRASS, 17% "TOUCHDOWN" KENTUCKY BLUEGRASS, 16% "APM PERENNIAL RYEGRASS, 13% "ACCENT PERENNIAL RYEGRASS OR APPROVED EQUAL AT A RATE OF 220 LBS. PER ACRE. FINE LEVEL. ALL AREAS PRIOR TO LAYING SOD. ALL LAWN AREAS SHALL BE IRRIGATED WITH 100% COVERAGE BY POP-UP SPRAY HEADS AND GEAR-DRIVEN ROTORS. ALL DECIDUOUS AND CONIFER TREES PLANTED WITHIN SOD AREAS SHALL HAVE A FOUR FOOT(4') DIAMETER TREE RING COVERED WITH CHOCOLATE BROWN BARK MULCH, NO SHREDDED FINES. SUBMIT SAMPLES TO BE APPROVED BY LANDSCAPE ARCHITECT AND OWNER BEFORE INSTALLATION.	41,036 sf
	1-03 1" to 2" STONE MULCH (or approved equal) PLANTING AREAS TO RECEIVE MIN. 6" DEPTH OF QUALITY TOPSOIL. IF TOPSOIL IS PRESENT ON SITE, PROVIDE SOIL TEST TO DETERMINE SOIL QUALITY FOR PROPOSED PLANTINGS. PROVIDE 3" DEPTH OF STONE MULCH TOP DRESSING.	81,496 sf
	1-05 4"-6" STONE MULCH PLANTING AREAS TO RECEIVE MIN. 6" DEPTH OF QUALITY TOPSOIL. IF TOPSOIL IS PRESENT ON SITE, PROVIDE SOIL TEST TO DETERMINE SOIL QUALITY FOR PROPOSED PLANTINGS. PROVIDE 3" DEPTH OF STONE MULCH TOP DRESSING.	4,395 sf
SYMBOL	LANDSCAPE DESCRIPTION	QTY
	1-07 BOULDERS - DECORATIVE	144
	1-08 5.5" DEEP STEEL EDGING - INSTALL PER MANUFACTURER SPECIFICATION.	4,158 lf

ISSUE DATE	PROJECT NUMBER	PLAN INFORMATION	PROJECT INFORMATION
7/29/2022	UT21014		

**BLUE STAKES OF UTAH**  
 UTILITY NOTIFICATION CENTER, INC.  
 1-800-662-4111  
 www.bluestakes.org

811  
 BLUE STAKES OF UTAH  
 UTILITY NOTIFICATION CENTER, INC.  
 1-800-662-4111  
 www.bluestakes.org

NO. REVISION DATE  
 1 XXXX XX-XX-XX  
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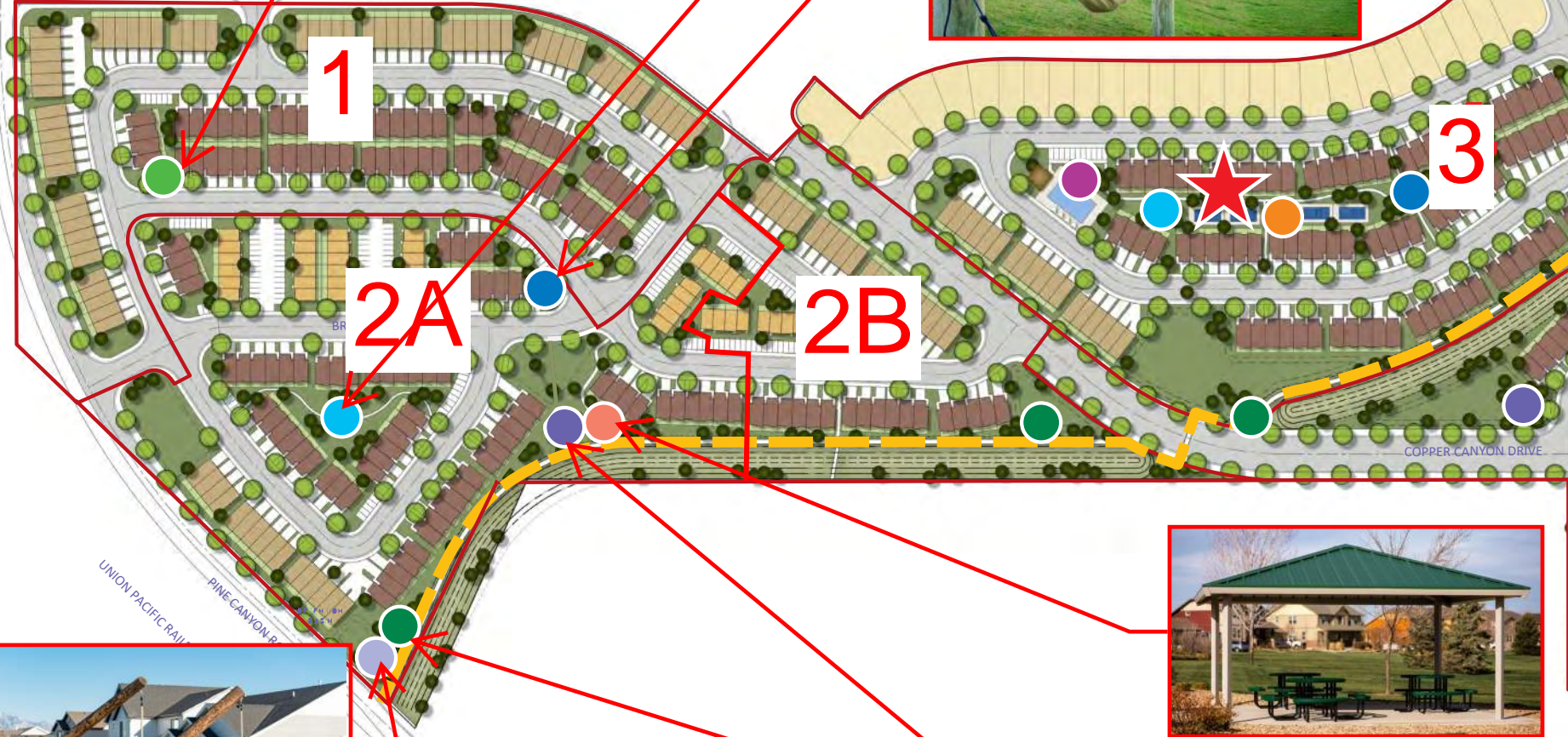
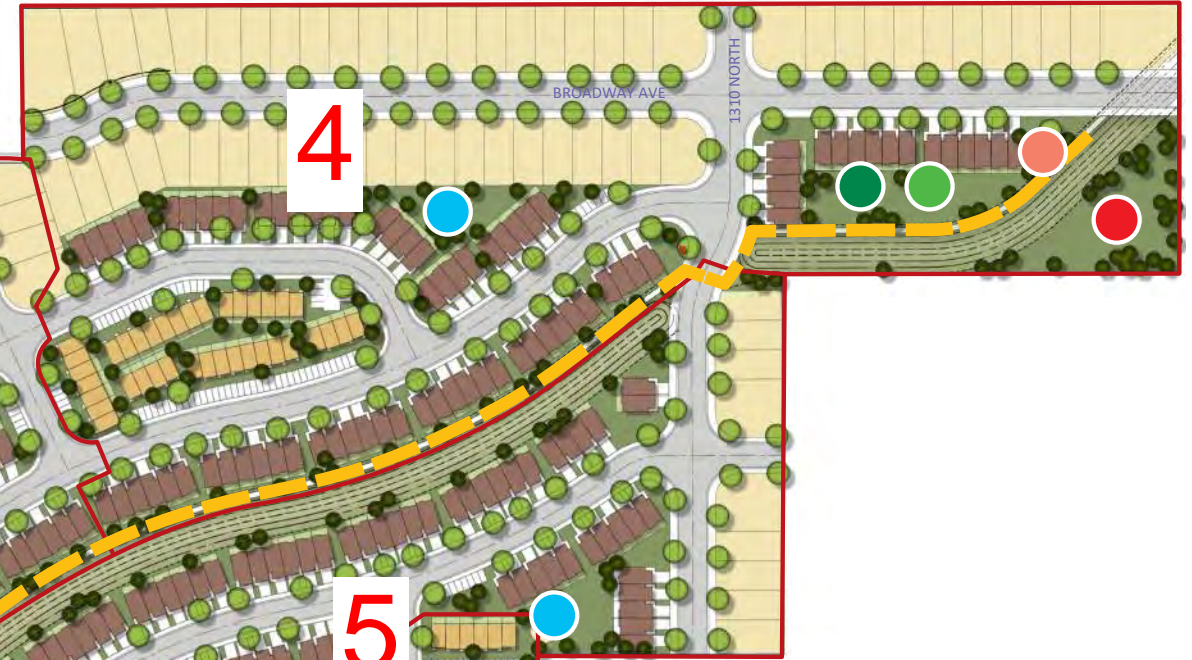
GRAPHIC SCALE: 1" = 140'  
 0' 70' 140' 280' 560'

**WESTERN ACRES  
PHASE 2A  
TOOELE, UTAH**

DEVELOPER / PROPERTY OWNER / CLIENT	LANDSCAPE ARCHITECT / PLANNER	LICENSE STAMP	DRAWING INFO
D.R. HORTON ATT: DAVID LEWIS 801-542-8122 DLEWIS2@DRHORTON.COM	<b>PKJ DESIGN GROUP</b> Landscape Architecture • Planning & Visualization 3450 N. TRIUMPH BLVD. SUITE 102 LEHI, UTAH 84043 (801) 960-2698 www.pkjdesigngroup.com		PM: JTA DRAWN: ACP CHECKED: JMA PLOT DATE: 7/29/2022
Client / Engineer: <b>WILDING ENGINEERING</b> 14721 SOUTH HERITAGE CREST WAY BLUFFDALE, UT 84065	<b>LANDSCAPE COLOR</b> 		



- ★ PICKLE BALL COURTS
- SWIMMING POOL/RESTROOMS
- SAND DIGGERS W/ BENCHES (1)
- LARGE PAVILION (1)
- SMALL PAVILION (2)
- HAMMOCK GROTTO (2)
- TOT LOT (4)
- TERRA PARK (2)
- APPARATUS ALONG TRAIL (4)
- SWING SET (2)
- COMMUNITY TRAIL
- DOG PARK



# WESTERN ACRES

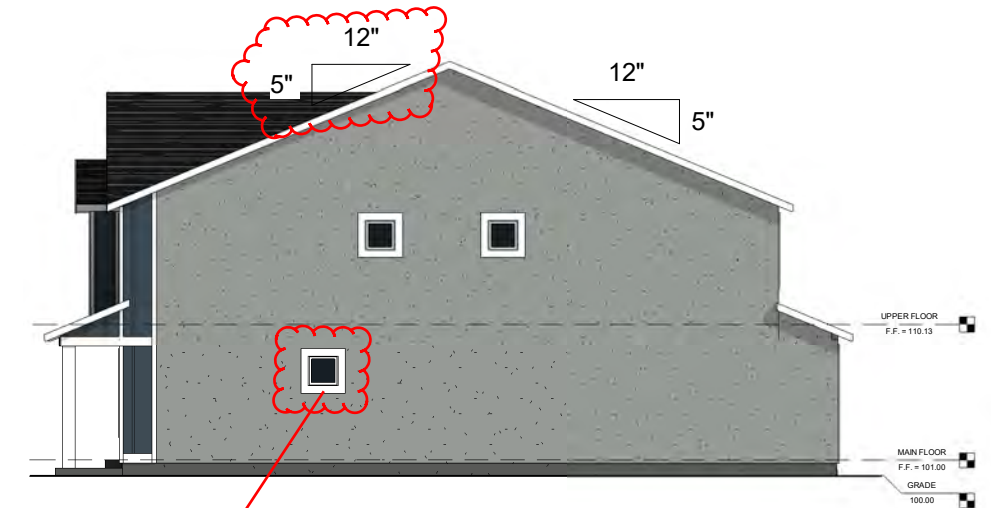
## Conceptual Amenities Plan

June 16, 2021





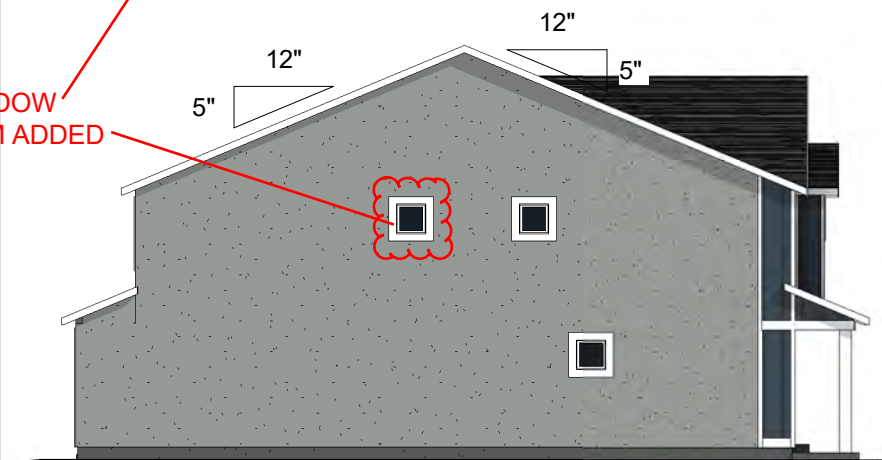
FRONT PERSPECTIVE



RIGHT ELEVATION









REAR ELEVATION



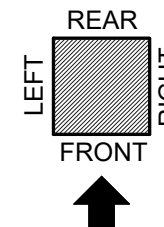
LEFT ELEVATION

**PLAN ADDISON / DALTON  
2-STORY TOWNHOME: FARMHOUSE**

-  LAP SIDING (CEMENTATIOUS OR EQUIVALENT)
-  BOARD & BATTON SIDING (CEMENTATIOUS OR EQUIVALENT)
-  SHINGLE SIDING (CEMENTATIOUS OR EQUIVALENT)

-  STUCCO
-  MASONRY: STONE (CULTURED OR SIMILAR) OR BRICK
-  ASPHALT SHINGLES

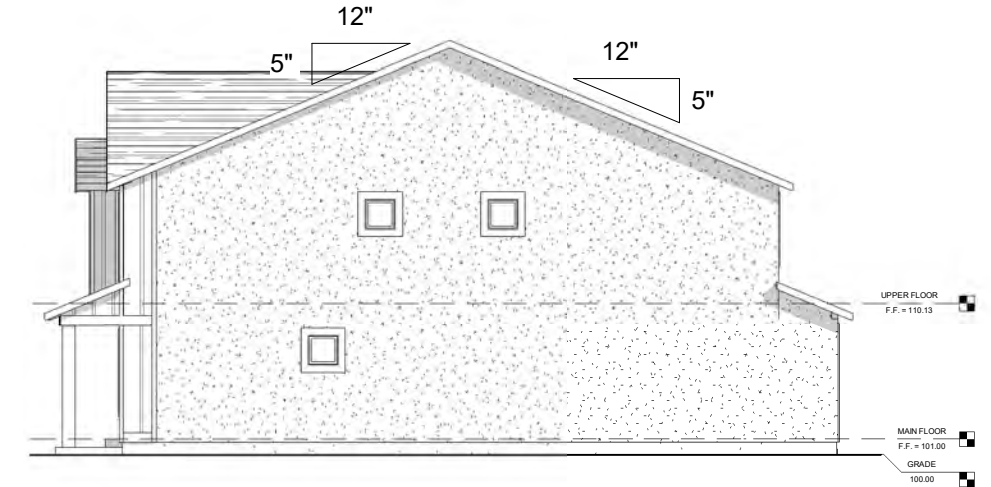
**WESTERN ACRES TOWNHOMES**



REV DATE: 02/15/2021



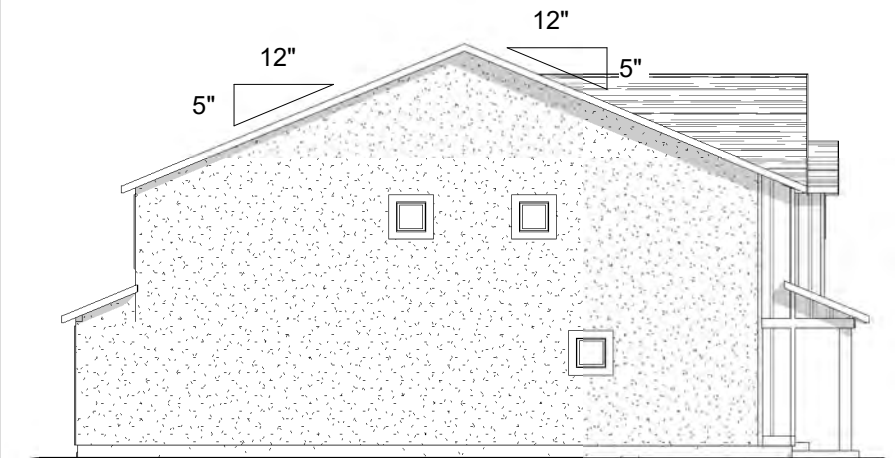
**FRONT PERSPECTIVE**



**RIGHT ELEVATION**









**REAR ELEVATION**



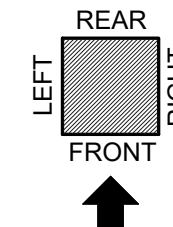
**LEFT ELEVATION**

**PLAN ADDISON / DALTON  
2-STORY TOWNHOME: FARMHOUSE**

-  LAP SIDING (CEMENTATIOUS OR EQUIVALENT)
-  BOARD & BATTON SIDING (CEMENTATIOUS OR EQUIVALENT)
-  SHINGLE SIDING (CEMENTATIOUS OR EQUIVALENT)

-  STUCCO
-  MASONRY: STONE (CULTURED OR SIMILAR) OR BRICK
-  ASPHALT SHINGLES

**WESTERN ACRES TOWNHOMES**

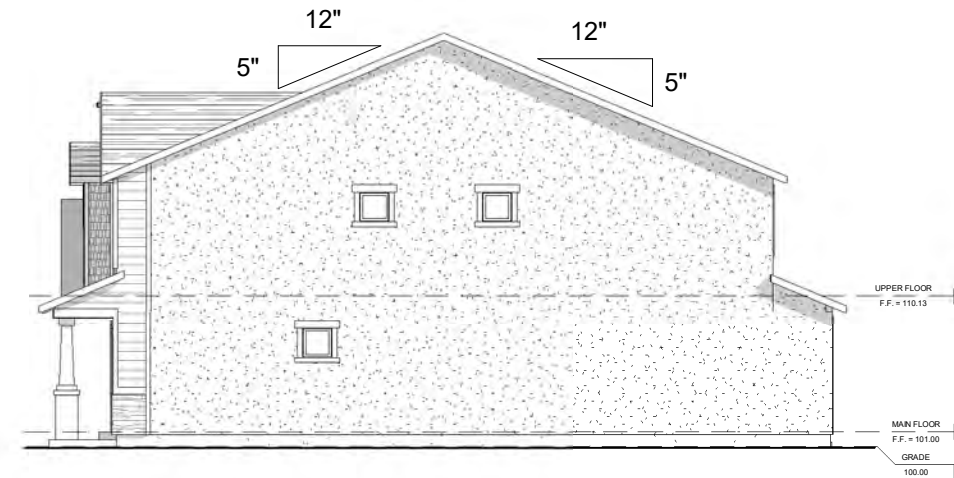


REV DATE: 02/15/2021

**D·R·HORTON**  
*America's Builder*



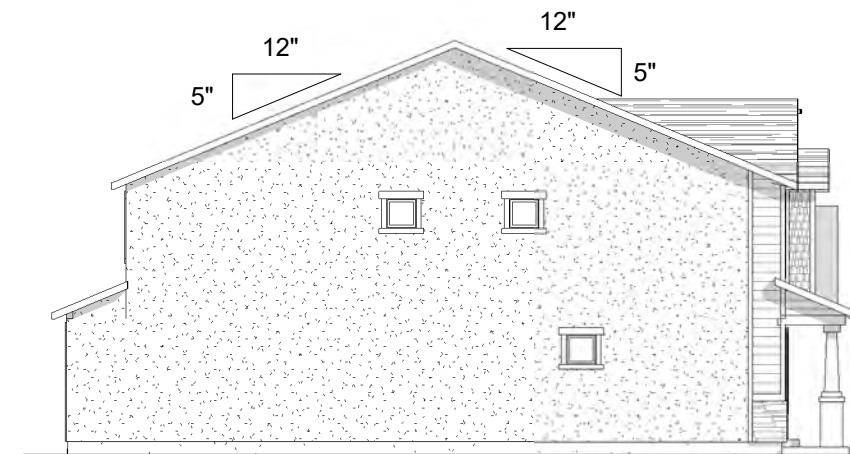
**FRONT PERSPECTIVE**



**RIGHT ELEVATION**









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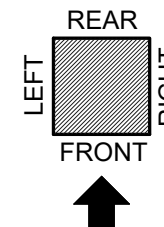
**LEFT ELEVATION**

**PLAN ADDISON / DALTON  
2-STORY TOWNHOME: CRAFTSMAN**

-  LAP SIDING (CEMENTATIOUS OR EQUIVALENT)
-  BOARD & BATTON SIDING (CEMENTATIOUS OR EQUIVALENT)
-  SHINGLE SIDING (CEMENTATIOUS OR EQUIVALENT)

-  STUCCO
-  MASONRY: STONE (CULTURED OR SIMILAR) OR BRICK
-  ASPHALT SHINGLES

**WESTERN ACRES TOWNHOMES**



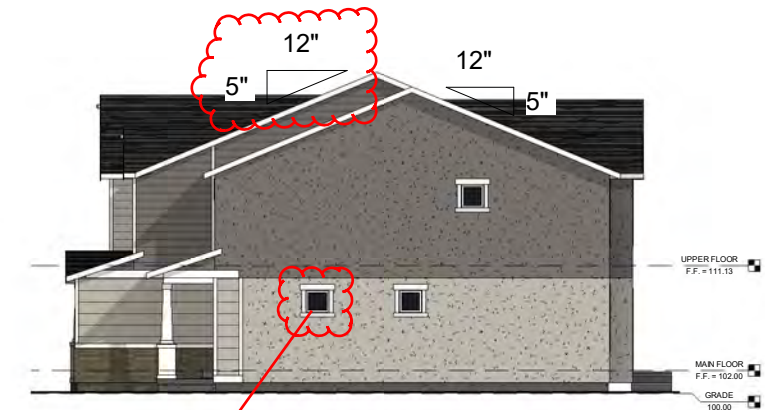
REV DATE: 02/15/2021

**D·R·HORTON**  
*America's Builder*

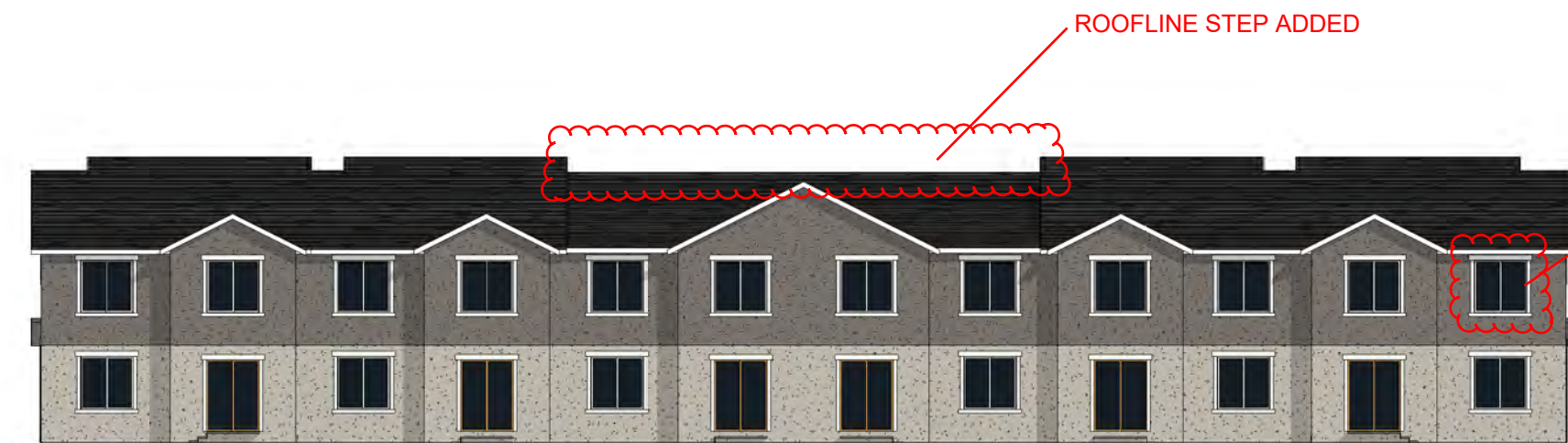




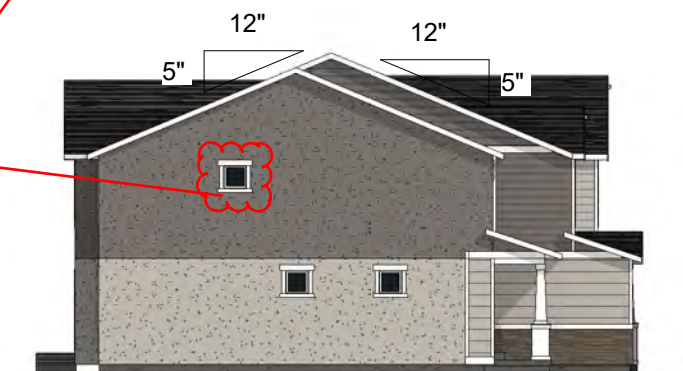
FRONT PERSPECTIVE



RIGHT ELEVATION

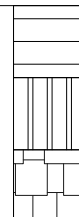


REAR ELEVATION



LEFT ELEVATION

# PLAN MILLBROOK / OAKRIDGE 2-STORY TOWNHOME: CRAFTSMAN

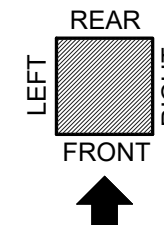


- LAP SIDING (CEMENTATIOUS OR EQUIVALENT)
- BOARD & BATTON SIDING (CEMENTATIOUS OR EQUIVALENT)
- SHINGLE SIDING (CEMENTATIOUS OR EQUIVALENT)



- STUCCO
- MASONRY: STONE (CULTURED OR SIMILAR) OR BRICK
- ASPHALT SHINGLES

## WESTERN ACRES TOWNHOMES



REV DATE: 01/14/2022

**D·R·HORTON**  
*America's Builder*



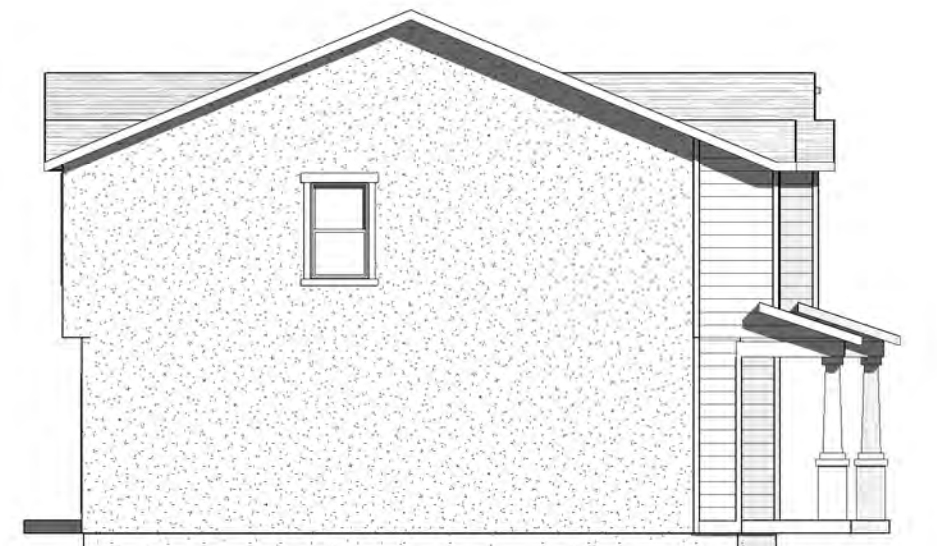
**FRONT PERSPECTIVE**



**RIGHT ELEVATION**









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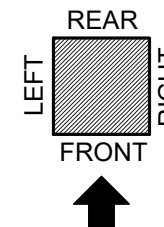
**LEFT ELEVATION**

**PLAN PIONEER PRODUCT  
2-STORY TOWNHOME: CRAFTSMAN**

-  LAP SIDING (CEMENTATIOUS OR EQUIVALENT)
-  BOARD & BATTON SIDING (CEMENTATIOUS OR EQUIVALENT)
-  SHINGLE SIDING (CEMENTATIOUS OR EQUIVALENT)

-  STUCCO
-  MASONRY: STONE (CULTURED OR SIMILAR) OR BRICK
-  ASPHALT SHINGLES

**WESTERN ACRES TOWNHOMES**



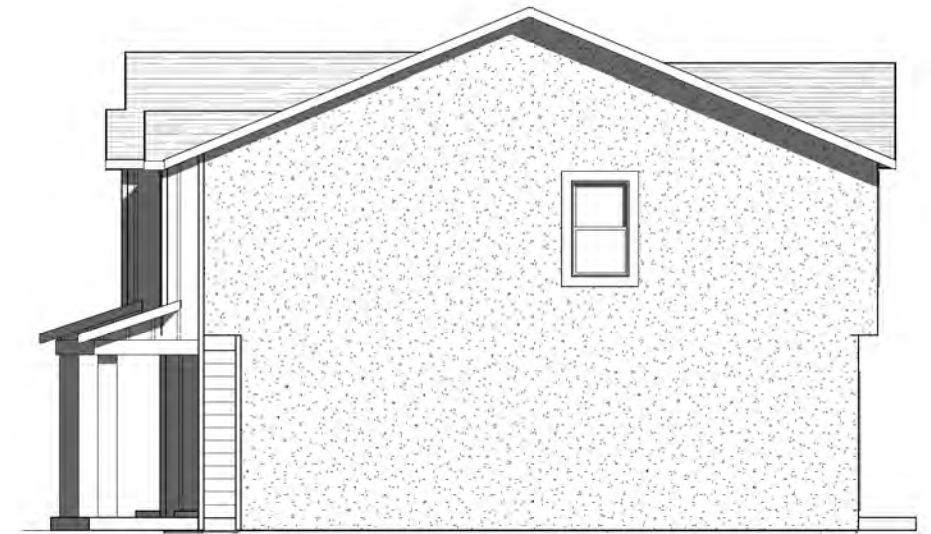
REV DATE: 04/20/2022

**D·R·HORTON**  
*America's Builder*





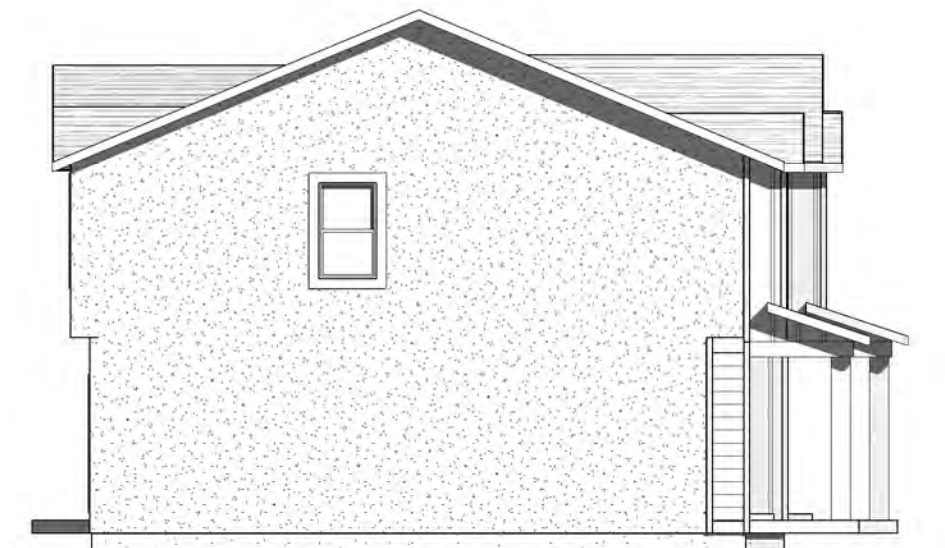
FRONT PERSPECTIVE



RIGHT ELEVATION









REAR ELEVATION



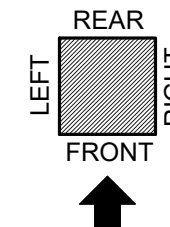
LEFT ELEVATION

**PLAN PIONEER PRODUCT  
2-STORY TOWNHOME: FARMHOUSE**

-  LAP SIDING (CEMENTATIOUS OR EQUIVALENT)
-  BOARD & BATTON SIDING (CEMENTATIOUS OR EQUIVALENT)
-  SHINGLE SIDING (CEMENTATIOUS OR EQUIVALENT)

-  STUCCO
-  MASONRY: STONE (CULTURED OR SIMILAR) OR BRICK
-  ASPHALT SHINGLES

**WESTERN ACRES TOWNHOMES**



REV DATE: 04/20/2022



**STAFF REPORT**

December 8, 2022

**To:** Tooele City Planning Commission  
Business Date: December 14, 2022

**From:** Planning Division  
Community Development Department

**Prepared By:** Andrew Aagard, City Planner / Zoning Administrator

**Re: Western Acres Phase 2A – Preliminary Subdivision Plan Request**

Application No.: P22-601  
Applicant: Mike DeCarlo, representing DR Horton  
Project Location: Approximately 1800 North 300 East  
Zoning: MR-16 PUD Multi-Family Residential Zone  
Acreage: 11.4 Acres (Approximately 496,584 ft<sup>2</sup>)  
Request: Request for approval of a Preliminary Subdivision Plan in the MR-16 PUD Multi-Family Residential zone regarding the creation of 121 residential lots for town homes, the creation of the associated limited common areas and the creation of common areas.

**BACKGROUND**

This application is a request for approval of a Preliminary Subdivision Plan for approximately 11.4 acres located approximately 1800 North 300 East. The property is currently zoned MR-16 PUD Multi-Family Residential. The applicant is requesting that a Preliminary Subdivision Plan be approved to allow for the development of the currently vacant site as residential town homes. The Preliminary Subdivision Plan begins the process of subdividing the property into individual lots for private ownership, limited common areas such as driveways and patios and common areas such roads, storm water detention basins and open space

**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 PUD Multi-Family Residential zoning classification, supporting approximately sixteen dwelling units per acre. The MR-16 PUD 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 of Phase 2A are zoned LI Light Industrial and MR-16 PUD (Phase 1 of Western Acres). Properties to the east and south are zoned MR-16 PUD and are also part of the Western Acres development. Properties to the west are zoned GC General Commercial but are utilized as the legally non-conforming Overpass Point mobile home park. Mapping pertinent to the subject request can be found in Exhibit “A” to this report.

*Site Plan Layout.* The preliminary subdivision plan follows the exact same layout as the site plan as the site plan is that which dictates where the lots for each town house will be located. Phase 2A of the Western Acres development picks up where Phase 1 ended and is sandwiched between Phase 1 to the east, Pine Canyon Road and Overpass Point to the west. All accesses to Pine Canyon Road are constructed with Phase 1 so Phase 2A is proposing no new accesses to public streets and will connect to



existing stubs provided in Phase 1. All streets within the development are proposed to be private roads, owned and maintained by the development.

Subdivision Layout. The subdivision plat creates 121 new lots for individual private ownership. These lots are the same size as the footprint of the town home that will be constructed above. There are three types of townhomes proposed for this development. Some will be rear loaded townhomes, that majority will be front loaded townhomes and a few more will be townhomes without a garage. The lots range in size from 680 square feet up to 1,078 square feet depending upon the style of town house constructed thereon. There are no lot size minimum restrictions in the MR-16 zoning district in order to facilitate the construction of privately owned townhomes such as these.

The subdivision plat also defines the areas that will be considered limited common areas. These areas are owned and maintained by the development but are limited in use to the adjacent town houses. These limited common areas are delineated on the preliminary plat by a crossing hatch pattern and are typically in front of the townhomes and behind the townhomes as driveways and patios, respectively.

The remaining area, delineated on the preliminary plat in white, non-hatched areas are the roads, detention basins, and common open space areas. These areas will be owned and maintained by the development.

The Middle Canyon drainage runs north to south along the west side of Phase 2A, immediately adjacent to Overpass Point mobile home park. DR Horton is improving this drainage to accommodate the new development, install a trail and vehicle maintenance path and other improvements to ensure proper flood control through this area. Alterations to the flood plain are reviewed by Tooele City but are also reviewed and approved by FEMA of the Federal Government. The applicant is working through these approvals with FEMA.

It should also be noted that the preliminary subdivision plan follows closely and adheres to the overall PUD design for the Western Acres Development as approved by the City Council. The PUD overlay does provide exceptions and changes to unit size, setbacks and architecture but has no impact upon the lots, lot sizes, etc.

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

## **REVIEWS**

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

1. Other than some minor differences to road alignment and unit placement the preliminary subdivision plan follows the overall approved PUD document and also matches the site plan.

Engineering and Public Works Divisions 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 with the following proposed condition:

1. The flood plain shall be completed and accepted by FEMA prior to Phase 2A Final

Subdivision Plat approval.

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.

### **STAFF RECOMMENDATION**

Staff recommends approval of the request for a Preliminary Subdivision Plan by Mike DeCarlo, representing DR Horton, application number P22-601, 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.
5. That the flood plain shall be completed and accepted by FEMA prior to Phase 2A Final Subdivision Plat approval.

This recommendation is based on the following findings:

1. The proposed development plans meet the intent, goals, and objectives of the Master Plan.
2. The proposed development plans meet the intent, goals, and objectives of the Tooele City General Plan.
3. The proposed development plans meet the requirements and provisions of the Tooele City Code.
4. The proposed development plans will not be deleterious to the health, safety, and general welfare of the general public nor the residents of adjacent properties.
5. The proposed development conforms to the general aesthetic and physical development of the area.
6. The public services in the area are adequate to support the subject development.
7. Other than some minor differences to road alignment and unit placement the preliminary subdivision plan follows the overall approved PUD document and also matches the site plan.

### **MODEL MOTIONS**

Sample Motion for a Positive Recommendation – “I move we forward a positive recommendation to the City Council for the Western Acres Phase 2A Preliminary Subdivision Plan Request by Mike DeCarlo, representing DR Horton, application number P22-601, based on the findings and subject to the conditions listed in the Staff Report dated December 8, 2022:”

1. List any additional findings and conditions...

Sample Motion for a Negative Recommendation – “I move we forward a negative recommendation to the City Council for the Western Acres Phase 2A Preliminary Subdivision Plan Request by Mike DeCarlo, representing DR Horton, application number P22-601, based on the following findings:”

1. List findings...

**EXHIBIT A**

**MAPPING PERTINENT TO THE WESTERN ACRES PHASE 2A PRELIMINARY  
SUBDIVISION PLAN**

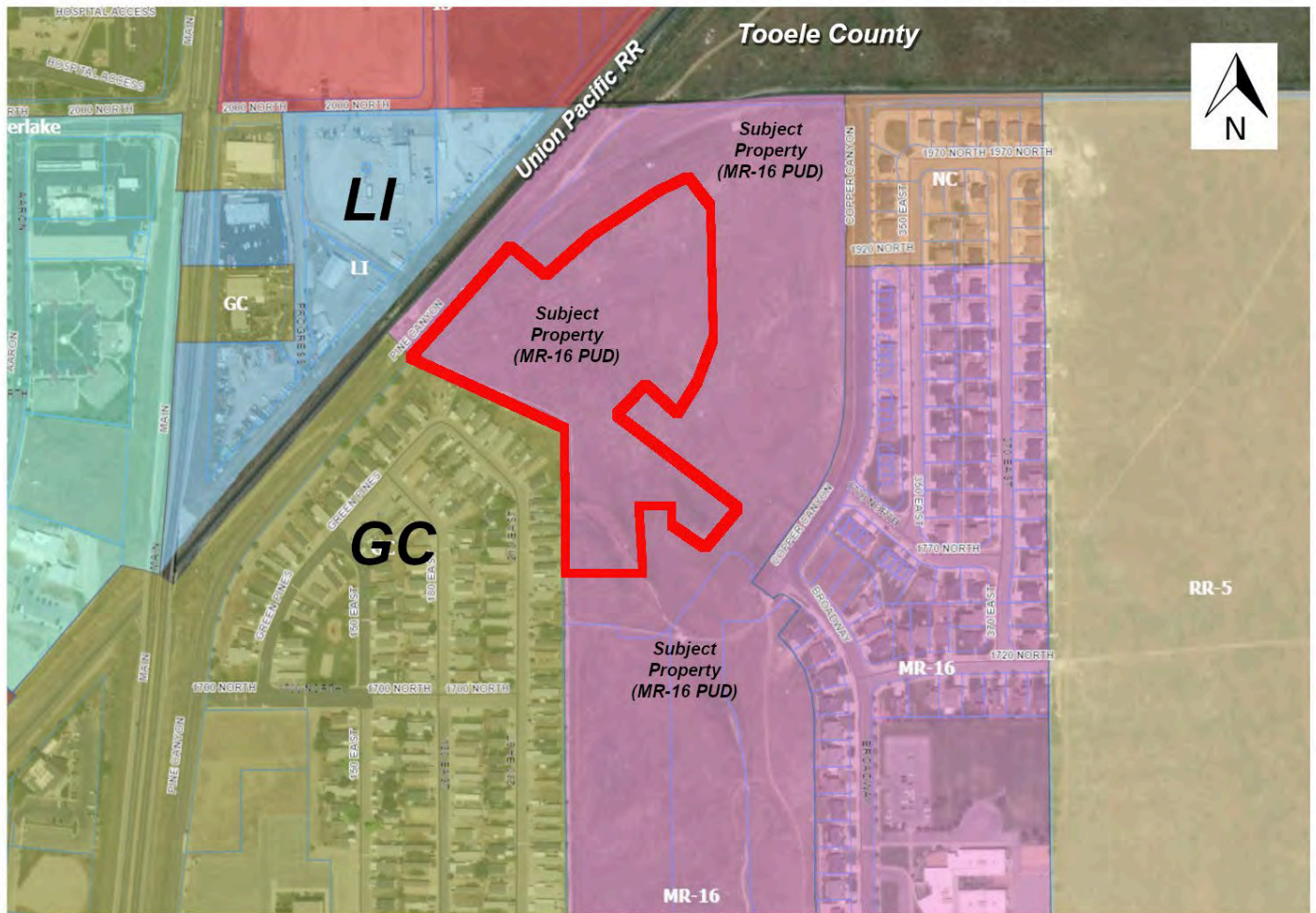
***Western Acres Phase 2A Preliminary Subdivision Plan***



***Aerial View***



# Western Acres Phase 2A Preliminary Subdivision Plan



**Current Zoning**

**EXHIBIT B**

**PROPOSED DEVELOPMENT PLANS &  
APPLICANT SUBMITTED INFORMATION**

# Subdivision - Preliminary Plan Application

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



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

Project Information											
Date of Submission:	5/24/22	Submittal #:	<input checked="" type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4	Zone:	MR-16	Acres:	11.436	Parcel #(s):	02-123-0-0033	22-601	
Project Name:	Western Acres Phase 2a										
Project Address:	2000 N Copper Canyon Dr										
Project Description:	PUD Townhomes					Phases:	Phase 2a		Lots:	121	
Property Owner(s):	Gmobl Western Acres LLC					Applicant(s):	DR Horton				
Address:	181 South 750 West					Address:	12351 Gateway Park Place, Suite D-100				
City:	North Salt Lake		State:	UT		Zip:	84054		City:	Draper	
Phone:	801.298.2988		Email:	ajgreen@gmobl.com		Phone:	801-571-7101		Email:	klkinder@drhorton.com	
Contact Person:	Korey Kinder Mike DeCarlo					Address:	12351 Gateway Park Place, Suite D-100				
Phone:	385-226-2393 / 801.870.4483					City:	Draper		State:	UT	
Cellular:			Fax:	801.298.2697		Email:	klkinder@drhorton.com				
Engineer & Company:	Wilding Engineering					Surveyor & Company:	Same as Engineer				
Address:	14721 S. Heritage Crest Way					Address:					
City:	Bluffdale		State:	UT		City:			State:		
Phone:	801.553.8112		Email:	mcarlton@wildingengineering.com		Phone:			Email:		

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

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



# PRELIMINARY PLAT WESTERN ACRES TOWNHOMES PHASE 2A

A RESIDENTIAL SUBDIVISION

LOCATED IN THE NORTHWEST QUARTER OF SECTION 15, AND THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN  
TOOELE CITY, TOOELE COUNTY, UTAH  
SHEET 2 OF 3

SURVEYOR'S CERTIFICATE

I, KAGAN M. DIXON, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, HOLDING LICENSE NO. 9061091, IN ACCORDANCE WITH TITLE 58, CHAPTER 22, OF THE PROFESSIONAL ENGINEERS AND LAND SURVEYORS ACT; I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THIS SUBDIVISION PLAT IN ACCORDANCE WITH SECTION 17-23-17, HAVE VERIFIED ALL MEASUREMENTS, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS AND STREETS, TOGETHER WITH EASEMENTS, HEREAFTER TO BE KNOWN AS PRELIMINARY PLAT WESTERN ACRES TOWNHOMES PHASE 2A AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AND MONUMENTED ON THE GROUND AS SHOWN ON THIS PLAT.

DATE \_\_\_\_\_

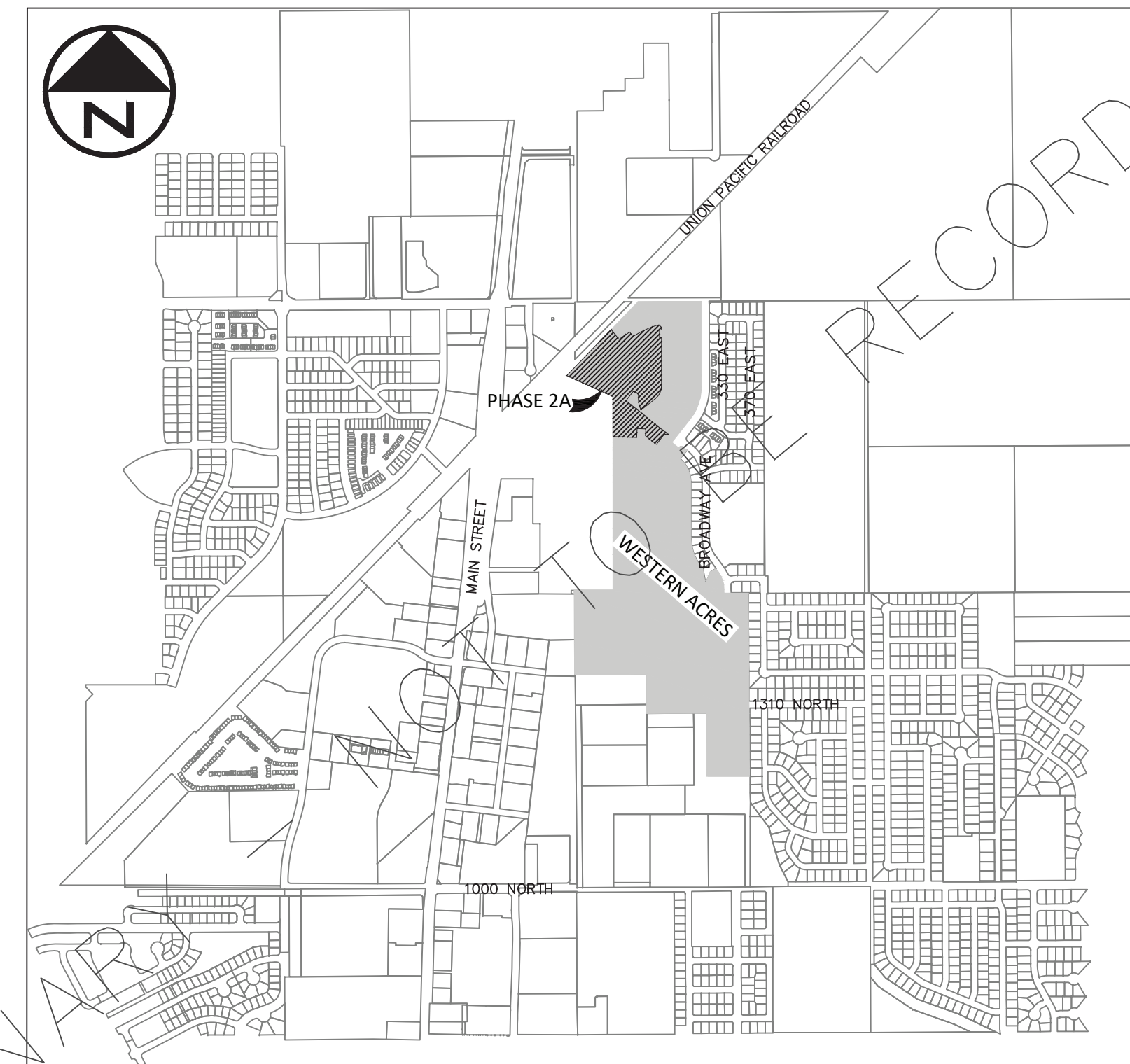
PROPERTY BOUNDARY DESCRIPTION

A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 15 AND THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH IS SOUTH 00°01'31" EAST ALONG THE SECTION LINE, 664.44 FEET AND WEST 65.74 FEET FROM THE NORTHWEST CORNER OF SECTION 15, TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE NORTH 43°58'38" EAST 576.59 FEET TO A POINT ON THE BOUNDARY OF WESTERN ACRES PHASE 1 ON FILE WITH THE TOOELE COUNTY RECORDER AS ENTRY # \_\_\_\_\_ IN BOOK \_\_\_\_\_ NUMBER \_\_\_\_\_; THENCE ALONG SAID BOUNDARY THE FOLLOWING TWENTY-TWO (22) COURSES: 1) SOUTH 39°15'07" EAST 112.95 FEET; 2) NORTHEASTERLY 116.65 FEET ALONG THE ARC OF A 1120.00 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT (CHORD BEARS NORTH 55°00'39" EAST 116.60 FEET); 3) SOUTH 32°00'19" EAST 51.00 FEET; 4) NORTHEASTERLY 239.60 FEET ALONG THE ARC OF A 1069.00 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT (CHORD BEARS NORTH 64°24'57" EAST 239.10 FEET); 5) SOUTHEASTERLY 64.78 FEET ALONG THE ARC OF A 34.00 FOOT RADIUS COMPOUND CURVE TO THE RIGHT (CHORD BEARS SOUTH 54°34'54" EAST 55.42 FEET); 6) SOUTH 00°00'01" EAST 10.00 FEET; 7) SOUTH 89°59'59" WEST 18.00 FEET; 8) SOUTH 00°00'01" EAST 72.00 FEET; 9) NORTH 89°59'59" EAST 18.00 FEET; 10) SOUTH 00°00'01" EAST 431.85 FEET; 11) SOUTHWESTERLY 134.22 FEET ALONG THE ARC OF A 149.50 FOOT RADIUS TANGENT CURVE TO THE RIGHT (CHORD BEARS SOUTH 25°43'13" WEST 129.76 FEET); 12) SOUTH 51°26'26" WEST 164.36 FEET; 13) NORTHWESTERLY 103.11 FEET ALONG THE ARC OF A 225.50 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT (CHORD BEARS NORTH 13°05'57" WEST 102.21 FEET); 14) NORTH 00°00'01" WEST 29.78 FEET; 15) 49.61 FEET ALONG THE ARC OF A 34.00 FOOT RADIUS TANGENT CURVE TO THE LEFT (CHORD BEARS NORTH 41°48'05" WEST 45.33 FEET); 16) NORTHWESTERLY 18.69 FEET ALONG THE ARC OF A 225.50 FOOT RADIUS REVERSE CURVE TO THE RIGHT (CHORD BEARS NORTH 81°13'39" WEST 18.69 FEET); 17) SOUTH 37°59'34" WEST 105.30 FEET; 18) SOUTH 52°00'26" EAST 153.67 FEET; 19) SOUTH 50°03'57" EAST 78.46 FEET; 20) SOUTHEASTERLY 4.00 FEET ALONG THE ARC OF A 34.00 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT (CHORD BEARS SOUTH 50°03'57" EAST 4.00 FEET); 21) SOUTHEASTERLY 20.91 FEET ALONG THE ARC OF A 225.50 FOOT RADIUS REVERSE CURVE TO THE LEFT (CHORD BEARS SOUTH 49°21'05" EAST 20.90 FEET); 22) SOUTH 52°00'26" EAST 236.13 FEET; THENCE SOUTHWESTERLY 53.41 FEET ALONG THE ARC OF A 34.00 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT (CHORD BEARS SOUTH 82°59'34" WEST 48.08 FEET); THENCE SOUTH 37°59'34" WEST 102.23 FEET; THENCE NORTH 52°00'35" WEST 125.52 FEET; THENCE NORTH 02°37'24" EAST 62.60 FEET; THENCE NORTH 87°17'11" WEST 79.23 FEET; THENCE SOUTH 02°09'54" WEST 80.91 FEET; THENCE NORTH 87°50'06" WEST 213.88 FEET TO A POINT ON THE BOUNDARY OF OVERPASS POINT SUBDIVISION, ON FILE WITH THE TOOELE COUNTY RECORDER AS ENTRY # 112891 IN BOOK 510 NUMBER 620; THENCE ALONG SAID OVERPASS POINT SUBDIVISION THE FOLLOWING TWO (2) COURSES: 1) NORTH 00°00'05" EAST 361.82 FEET; 2) NORTH 65°42'44" WEST 457.89 FEET TO THE POINT OF BEGINNING.

CONTAINING 11.436 ACRES, MORE OR LESS.

VICINITY MAP



UNIT #	ADDRESS	UNIT #	ADDRESS	UNIT #	ADDRESS
1131	266 E SERENITY AVE	1173	1883 N TEN HENS AVE	1215	206 E BROKEN ARROW AVE
1132	268 E SERENITY AVE	1174	1887 N TEN HENS AVE	1216	208 E BROKEN ARROW AVE
1133	270 E SERENITY AVE	1175	1895 N TEN HENS AVE	1217	210 E BROKEN ARROW AVE
1134	272 E SERENITY AVE	1176	1899 N TEN HENS AVE	1218	212 E BROKEN ARROW AVE
1135	1924 N TEN HENS AVE	1177	1903 N TEN HENS AVE	1219	216 E BROKEN ARROW AVE
1136	1926 N TEN HENS AVE	1178	1911 N TEN HENS AVE	1220	218 E BROKEN ARROW AVE
1137	1928 N TEN HENS AVE	1179	1915 N TEN HENS AVE	1221	220 E BROKEN ARROW AVE
1138	1930 N TEN HENS AVE	1180	1919 N TEN HENS AVE	1222	222 E BROKEN ARROW AVE
1139	1932 N TEN HENS AVE	1181	1923 N TEN HENS AVE	1223	224 E BROKEN ARROW AVE
1140	1934 N TEN HENS AVE	1182	1929 N TEN HENS AVE	1224	226 E BROKEN ARROW AVE
1141	1908 N TEN HENS AVE	1183	1933 N TEN HENS AVE	1225	230 E BROKEN ARROW AVE
1142	1906 N TEN HENS AVE	1184	242 E SERENITY AVE	1226	232 E BROKEN ARROW AVE
1143	1904 N TEN HENS AVE	1185	240 E SERENITY AVE	1227	234 E BROKEN ARROW AVE
1144	1902 N TEN HENS AVE	1186	238 E SERENITY AVE	1228	236 E BROKEN ARROW AVE
1145	1898 N TEN HENS AVE	1187	236 E SERENITY AVE	1229	238 E BROKEN ARROW AVE
1146	1896 N TEN HENS AVE	1188	234 E SERENITY AVE	1230	240 E BROKEN ARROW AVE
1147	1884 N TEN HENS AVE	1189	232 E SERENITY AVE	1231	244 E BROKEN ARROW AVE
1148	1886 N TEN HENS AVE	1190	228 E SERENITY AVE	1232	1813 N PATCHWORK AVE
1149	1888 N TEN HENS AVE	1191	226 E SERENITY AVE	1233	1809 N PATCHWORK AVE
1150	1890 N TEN HENS AVE	1192	224 E SERENITY AVE	1234	1806 N PATCHWORK AVE
1151	1892 N TEN HENS AVE	1193	220 E BROKEN ARROW AVE	1235	1803 N PATCHWORK AVE
1152	1894 N TEN HENS AVE	1194	234 E BROKEN ARROW AVE	1236	1796 N PATCHWORK AVE
1153	1874 N TEN HENS AVE	1195	233 E BROKEN ARROW AVE	1237	1791 N PATCHWORK AVE
1154	1872 N TEN HENS AVE	1196	237 E BROKEN ARROW AVE	1238	1785 N PATCHWORK AVE
1155	1870 N TEN HENS AVE	1197	239 E BROKEN ARROW AVE	1239	1781 N PATCHWORK AVE
1156	1868 N TEN HENS AVE	1198	241 E BROKEN ARROW AVE	1240	1777 N PATCHWORK AVE
1157	1866 N TEN HENS AVE	1199	231 E SERENITY AVE	1241	1773 N PATCHWORK AVE
1158	1864 N TEN HENS AVE	1200	229 E SERENITY AVE	1242	1795 N TEN HENS AVE
1159	1865 N PATCHWORK AVE	1201	227 E SERENITY AVE	1243	1793 N TEN HENS AVE
1160	1859 N PATCHWORK AVE	1202	225 E SERENITY AVE	1244	1791 N TEN HENS AVE
1161	1855 N PATCHWORK AVE	1203	223 E SERENITY AVE	1245	1789 N TEN HENS AVE
1162	1851 N PATCHWORK AVE	1204	221 E SERENITY AVE	1246	1785 N TEN HENS AVE
1163	1842 N TEN HENS AVE	1205	219 E SERENITY AVE	1247	1783 N BLUE IRIS AVE
1164	1846 N TEN HENS AVE	1206	217 E SERENITY AVE	1248	1781 N BLUE IRIS AVE
1165	1852 N TEN HENS AVE	1207	215 E SERENITY AVE	1249	1777 N BLUE IRIS AVE
1166	1856 N TEN HENS AVE	1208	213 E SERENITY AVE	1250	1775 N BLUE IRIS AVE
1167	1860 N TEN HENS AVE	1209	211 E SERENITY AVE	1251	1771 N BLUE IRIS AVE
1168	1862 N TEN HENS AVE	1210	209 E SERENITY AVE		
1169	1864 N TEN HENS AVE	1211	207 E SERENITY AVE		
1170	1869 N TEN HENS AVE	1212	205 E SERENITY AVE		
1171	1873 N TEN HENS AVE	1213	203 E SERENITY AVE		
1172	1878 N TEN HENS AVE	1214	201 E SERENITY AVE		

<p><b>HEALTH DEPARTMENT</b></p> <p>APPROVED THIS _____ DAY OF _____ A.D. 20____ BY THE TOOELE COUNTY HEALTH DEPARTMENT.</p> <p>TOOELE COUNTY HEALTH DEPARTMENT</p>	<p><b>SCHOOL DISTRICT</b></p> <p>APPROVED THIS _____ DAY OF _____ A.D. 20____ BY THE TOOELE COUNTY SCHOOL DISTRICT.</p> <p>TOOELE COUNTY SCHOOL DISTRICT</p>
--	--

<p><b>COMCAST</b></p> <p>APPROVED THIS _____ DAY OF _____ A.D. 20____ BY COMCAST CABLE</p> <p>COMCAST</p>	<p><b>CENTURY LINK</b></p> <p>APPROVED THIS _____ DAY OF _____ A.D. 20____ BY CENTURY LINK</p> <p>CENTURY LINK</p>	<p><b>POST MASTER</b></p> <p>APPROVED THIS _____ DAY OF _____ A.D. 20____ BY THE POST MASTER.</p> <p>POST MASTER</p>
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<p><b>CHIEF OF POLICE</b></p> <p>APPROVED THIS _____ DAY OF _____ A.D. 20____ BY THE TOOELE CITY CHIEF OF POLICE.</p> <p>TOOELE CITY CHIEF OF POLICE</p>	<p><b>FIRE CHIEF</b></p> <p>APPROVED THIS _____ DAY OF _____ A.D. 20____ BY THE TOOELE CITY FIRE DEPARTMENT.</p> <p>TOOELE CITY FIRE CHIEF</p>	<p><b>PARKS DEPARTMENT</b></p> <p>APPROVED THIS _____ DAY OF _____ A.D. 20____ BY THE TOOELE CITY PARKS DEPARTMENT.</p> <p>TOOELE CITY PARKS DEPARTMENT</p>
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**ROCKY MOUNTAIN POWER**

1. PURSUANT TO UTAH CODE ANN. § 54-3-27 THIS PLAT CONVEYS TO THE OWNER(S) OR OPERATORS OF UTILITY FACILITIES A PUBLIC UTILITY EASEMENT ALONG WITH ALL THE RIGHTS AND DUTIES DESCRIBED THEREIN.

2. PURSUANT TO UTAH CODE ANN. § 17-27 a-603(4)(c)(ii) ROCKY MOUNTAIN POWER ACCEPTS DELIVERY OF THE PUE AS DESCRIBED IN THIS PLAT AND APPROVES THIS PLAT SOLELY FOR THE PURPOSE OF CONFIRMING THAT THE PLAT CONTAINS PUBLIC UTILITY EASEMENTS AND APPROXIMATES THE LOCATION OF THE PUBLIC UTILITY EASEMENTS, BUT DOES NOT WARRANT THEIR PRECISE LOCATION. ROCKY MOUNTAIN POWER MAY REQUIRE OTHER EASEMENTS IN ORDER TO SERVE THIS DEVELOPMENT. THIS APPROVAL DOES NOT AFFECT ANY RIGHT THAT ROCKY MOUNTAIN POWER HAS UNDER:

(1) A RECORDED EASEMENT OR RIGHT-OF-WAY  
 (2) THE LAW APPLICABLE TO PRESCRIPTIVE RIGHTS  
 (3) TITLE 54, CHAPTER 86, DAMAGE TO UNDERGROUND UTILITY FACILITIES OR  
 (4) ANY OTHER PROVISION OF LAW.

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_\_\_

ROCKY MOUNTAIN POWER

BY - \_\_\_\_\_

TITLE - \_\_\_\_\_

**DOMINION ENERGY**

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

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_\_\_

DOMINION ENERGY COMPANY

BY - \_\_\_\_\_

TITLE - \_\_\_\_\_

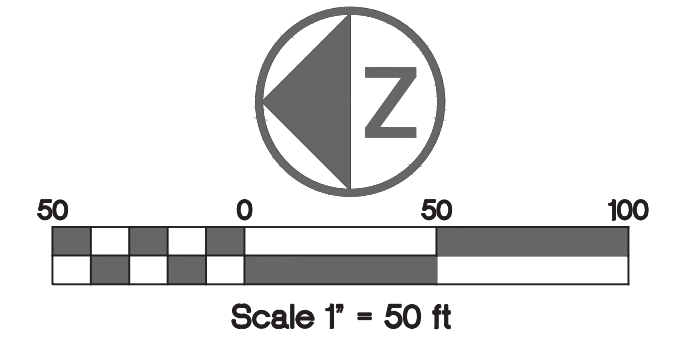
<p><b>OWNER/DEVELOPER</b></p> <p>D.R. HORTON 12351 SOUTH GATEWAY PARK PLACE SUITE D-100, DRAPER, UTAH CONTACT: DAVID LEWIS - 801-571-7101</p>	<p><b>CITY ATTORNEY</b></p> <p>APPROVED AS TO FORM ON THIS _____ DAY OF _____ A.D. 20____</p> <p>TOOELE CITY ATTORNEY</p>	<p><b>CITY ENGINEER</b></p> <p>APPROVED AS TO FORM ON THIS _____ DAY OF _____ A.D. 20____</p> <p>TOOELE CITY ENGINEER</p>	<p><b>COMMUNITY DEVELOPMENT</b></p> <p>APPROVED AS TO FORM ON THIS _____ DAY OF _____ A.D. 20____</p> <p>TOOELE CITY COMMUNITY DEVELOPMENT</p>	<p><b>COUNTY RECORDER</b></p> <p>REVIEWED THIS _____ DAY OF _____ A.D. 20____ BY THE TOOELE COUNTY RECORDER AS TO DESCRIPTION OF RECORD.</p> <p>TOOELE COUNTY RECORDER</p>	<p><b>CITY COUNCIL</b></p> <p>APPROVED THIS _____ DAY OF _____ A.D. 20____ BY THE TOOELE CITY COUNCIL.</p> <p>CHAIRMAN TOOELE CITY COUNCIL</p>	<p><b>PLANNING COMMISSION</b></p> <p>APPROVED THIS _____ DAY OF _____ A.D. 20____ BY THE TOOELE CITY PLANNING COMMISSION.</p> <p>ATTEST: _____</p>
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C:\DATA\19195 DR Horton Western Acres.dwg \Prelim\Phase 2 Prelim\Western Acres Phase 2A Plat-PRELIM.dwg PLOT DATE: Jun 27, 2022

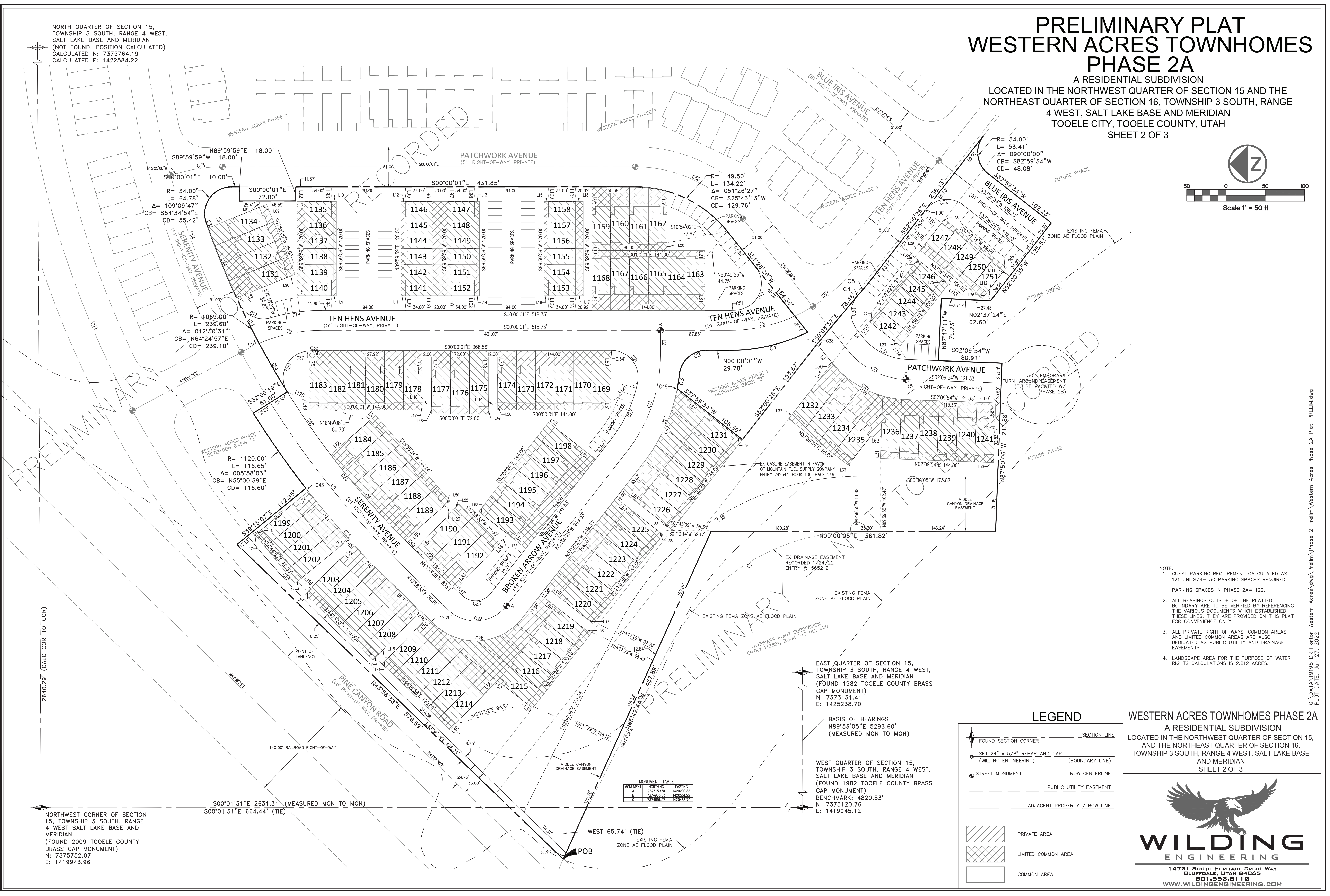


# PRELIMINARY PLAT WESTERN ACRES TOWNHOMES PHASE 2A

A RESIDENTIAL SUBDIVISION  
LOCATED IN THE NORTHWEST QUARTER OF SECTION 15 AND THE  
NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 3 SOUTH, RANGE  
4 WEST, SALT LAKE BASE AND MERIDIAN  
TOOELE CITY, TOOELE COUNTY, UTAH  
SHEET 2 OF 3



NORTH QUARTER OF SECTION 15,  
TOWNSHIP 3 SOUTH, RANGE 4 WEST,  
SALT LAKE BASE AND MERIDIAN  
(NOT FOUND, POSITION CALCULATED)  
CALCULATED N: 7375764.19  
CALCULATED E: 1422584.22



R= 34.00'  
L= 64.78'  
Δ= 109°09'47"  
CB= S54°34'54"E  
CD= 55.42'

R= 1069.00'  
L= 239.80'  
Δ= 012°50'31"  
CB= N64°24'57"E  
CD= 239.10'

R= 1120.00'  
L= 116.65'  
Δ= 005°58'03"  
CB= N55°00'39"E  
CD= 116.60'

R= 149.50'  
L= 134.22'  
Δ= 051°26'27"  
CB= S25°43'13"W  
CD= 129.76'

R= 34.00'  
L= 53.41'  
Δ= 090°00'00"  
CB= S82°59'34"W  
CD= 48.08'

MONUMENT	BORING	EASTING	NORTHING
A	7375764.19	1422584.22	
B	737466.83	1420567.27	
C	737453.57	1420388.70	

EAST QUARTER OF SECTION 15,  
TOWNSHIP 3 SOUTH, RANGE 4 WEST,  
SALT LAKE BASE AND MERIDIAN  
(FOUND 1982 TOOELE COUNTY BRASS  
CAP MONUMENT)  
N: 7373131.41  
E: 1425238.70

BASIS OF BEARINGS  
N89°53'05"E 5293.60'  
(MEASURED MON TO MON)

WEST QUARTER OF SECTION 15,  
TOWNSHIP 3 SOUTH, RANGE 4 WEST,  
SALT LAKE BASE AND MERIDIAN  
(FOUND 1982 TOOELE COUNTY BRASS  
CAP MONUMENT)  
BENCHMARK: 4820.53'  
N: 7373120.76  
E: 1419945.12

2640.29' (CALC COR-TO-COR)

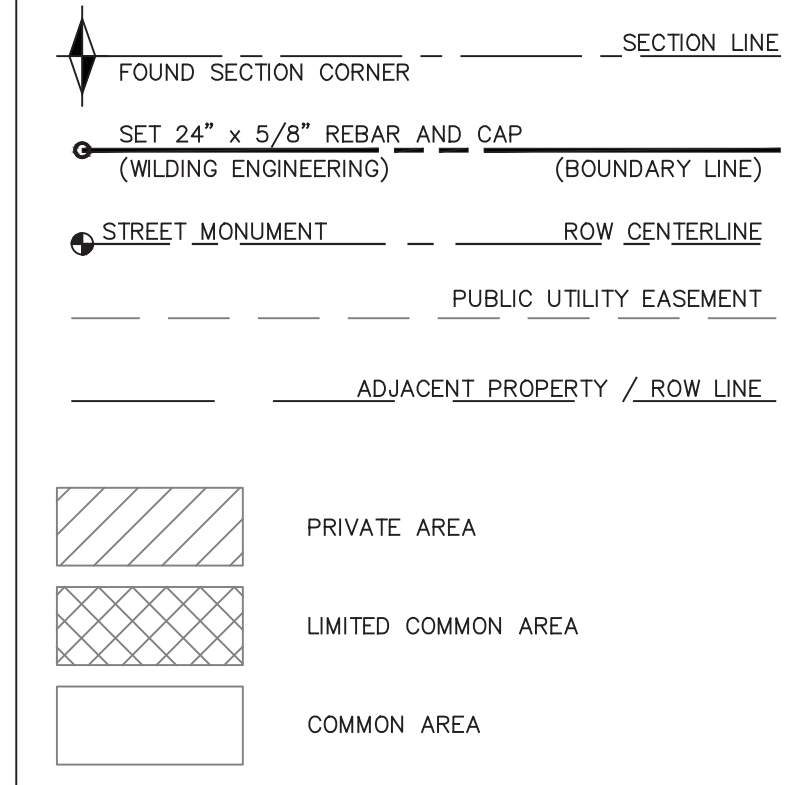
NORTHWEST CORNER OF SECTION  
15, TOWNSHIP 3 SOUTH, RANGE  
4 WEST SALT LAKE BASE AND  
MERIDIAN  
(FOUND 1982 TOOELE COUNTY  
BRASS CAP MONUMENT)  
N: 7375752.07  
E: 1419943.96

S00°01'31"E 2631.31' (MEASURED MON TO MON)  
S00°01'31"E 664.44' (TIE)

WEST 65.74' (TIE)

- NOTE:
- GUEST PARKING REQUIREMENT CALCULATED AS 121 UNITS/4= 30 PARKING SPACES REQUIRED. PARKING SPACES IN PHASE 2A= 122.
  - ALL BEARINGS OUTSIDE OF THE PLATTED BOUNDARY ARE TO BE VERIFIED BY REFERENCING THE VARIOUS DOCUMENTS WHICH ESTABLISHED THESE LINES. THEY ARE PROVIDED ON THIS PLAT FOR CONVENIENCE ONLY.
  - ALL PRIVATE RIGHT OF WAYS, COMMON AREAS, AND LIMITED COMMON AREAS ARE ALSO DEDICATED AS PUBLIC UTILITY AND DRAINAGE EASEMENTS.
  - LANDSCAPE AREA FOR THE PURPOSE OF WATER RIGHTS CALCULATIONS IS 2.812 ACRES.

## LEGEND



WESTERN ACRES TOWNHOMES PHASE 2A  
A RESIDENTIAL SUBDIVISION  
LOCATED IN THE NORTHWEST QUARTER OF SECTION 15,  
AND THE NORTHEAST QUARTER OF SECTION 16,  
TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE BASE  
AND MERIDIAN  
SHEET 2 OF 3



**WILDING  
ENGINEERING**  
14721 SOUTH HERITAGE CREST WAY  
BLUFFDALE, UTAH 84065  
801.553.8112  
WWW.WILDINGENGINEERING.COM

G:\DATA\19195 DR Horton\Western Acres\Phase 2 Prelim\Western Acres Phase 2A Plat-PRELIM.dwg  
PLOT DATE: Jun 27, 2022

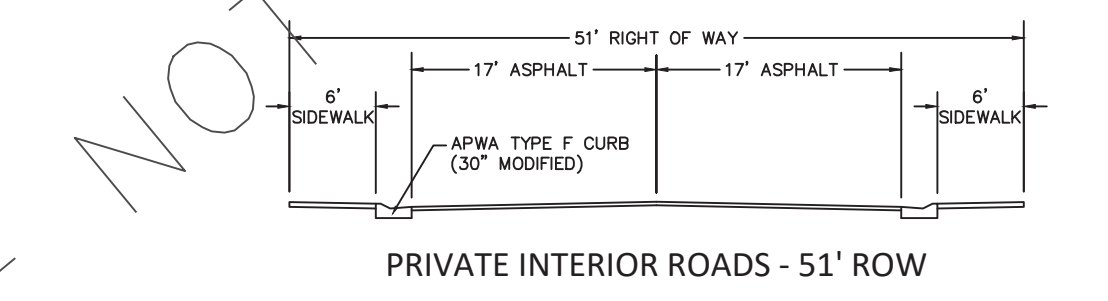
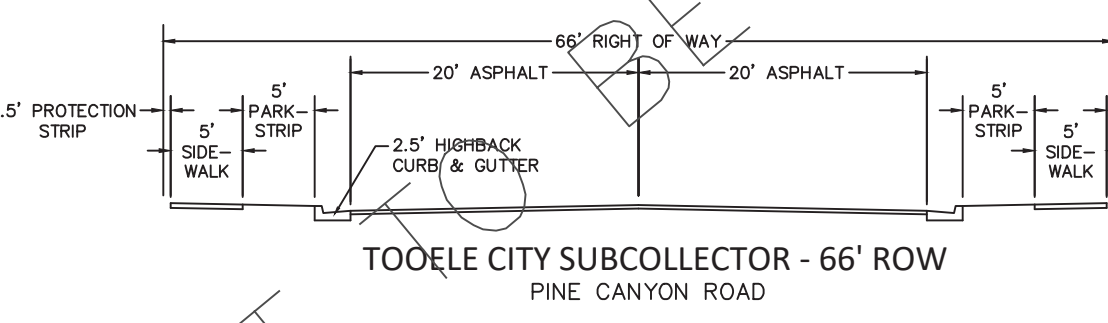
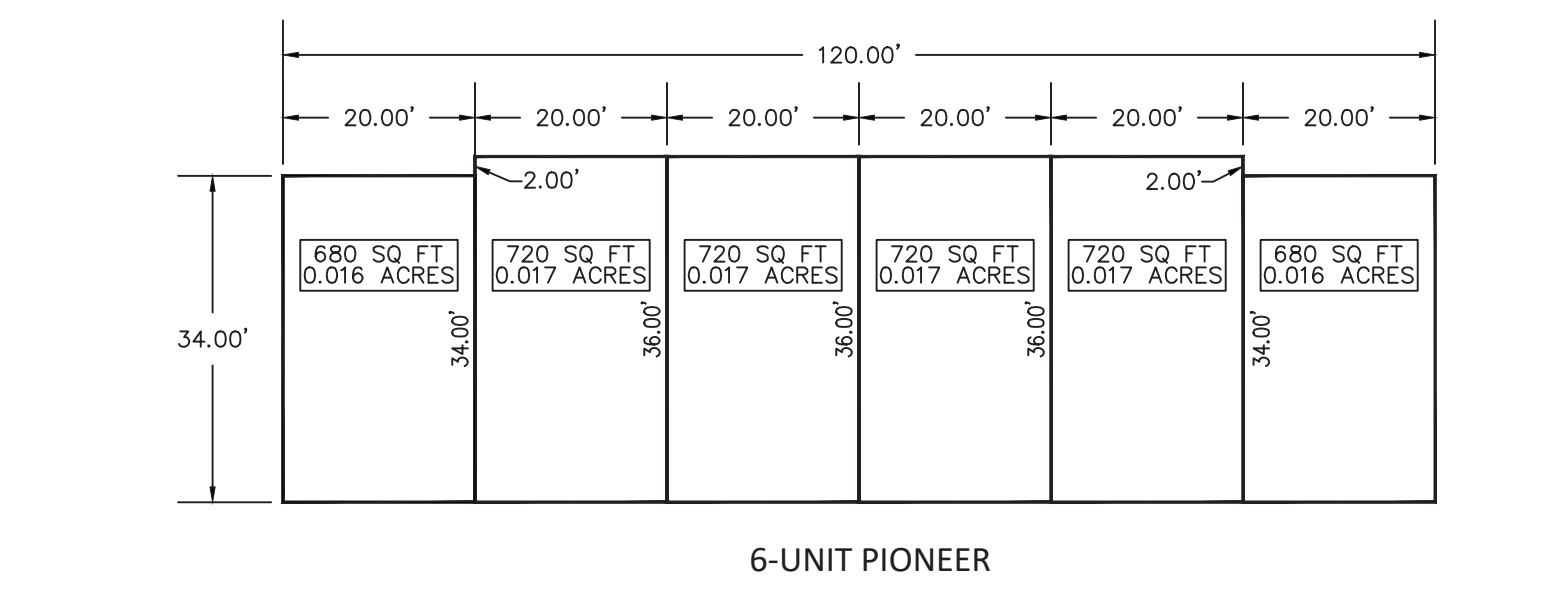
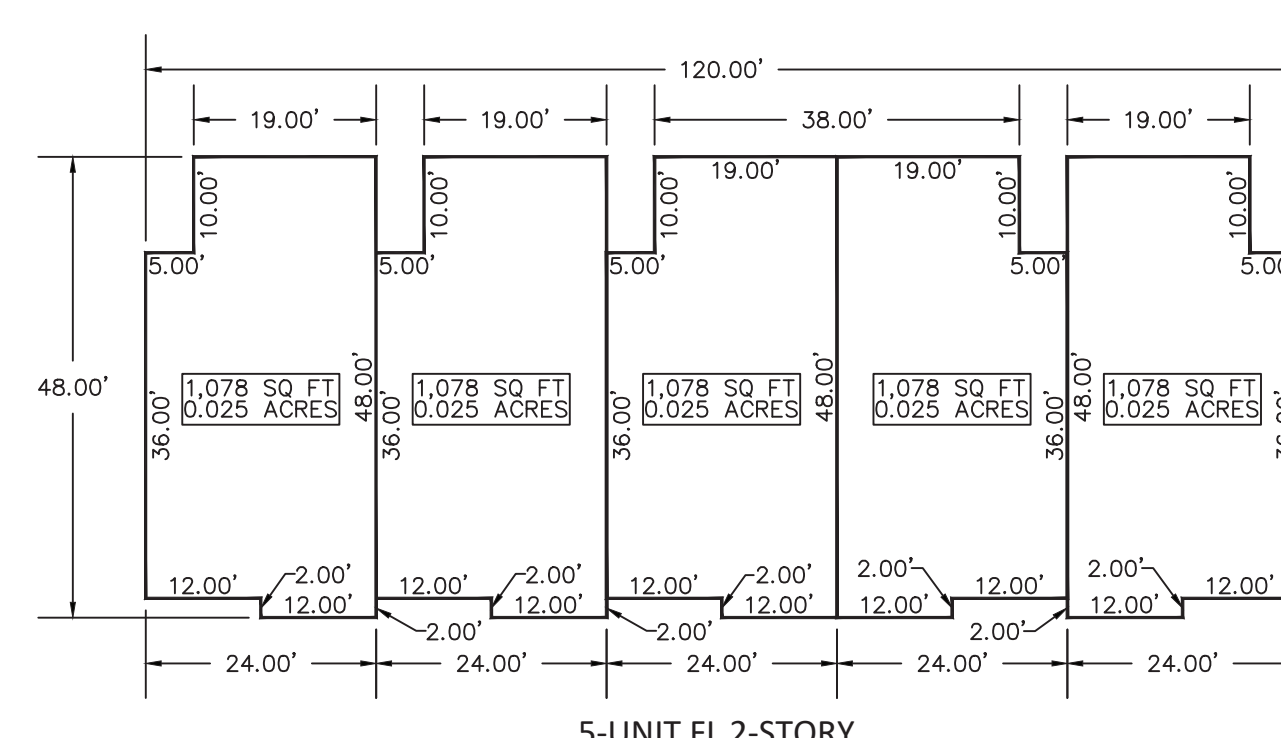
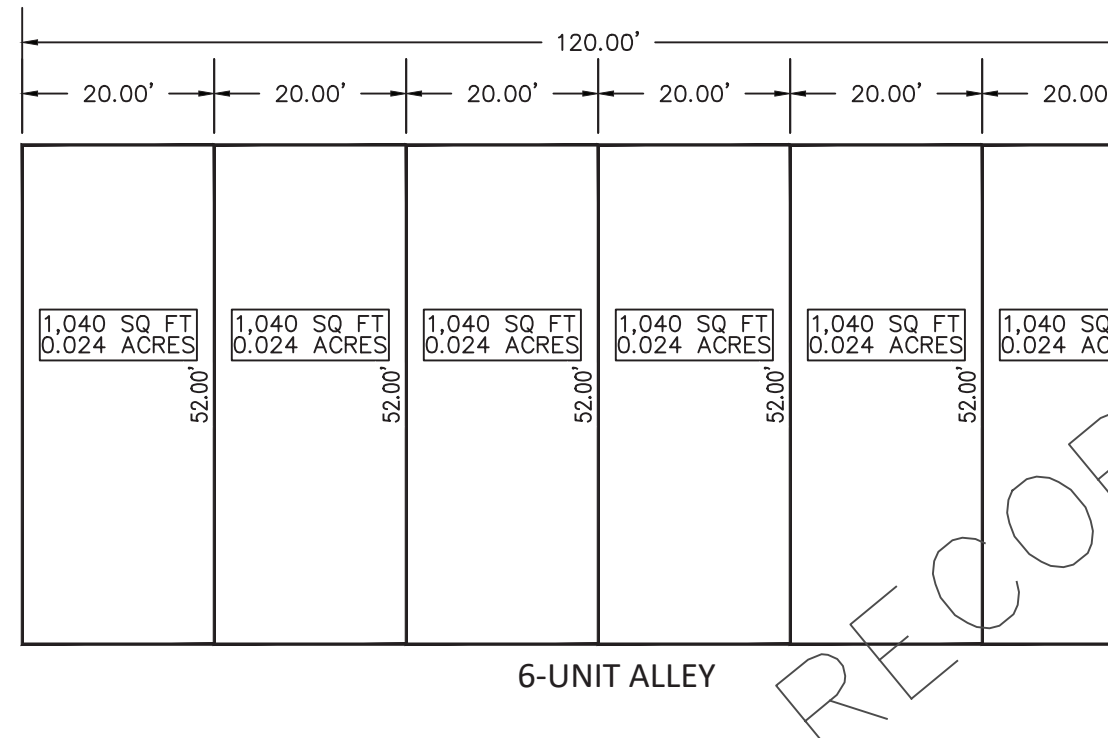
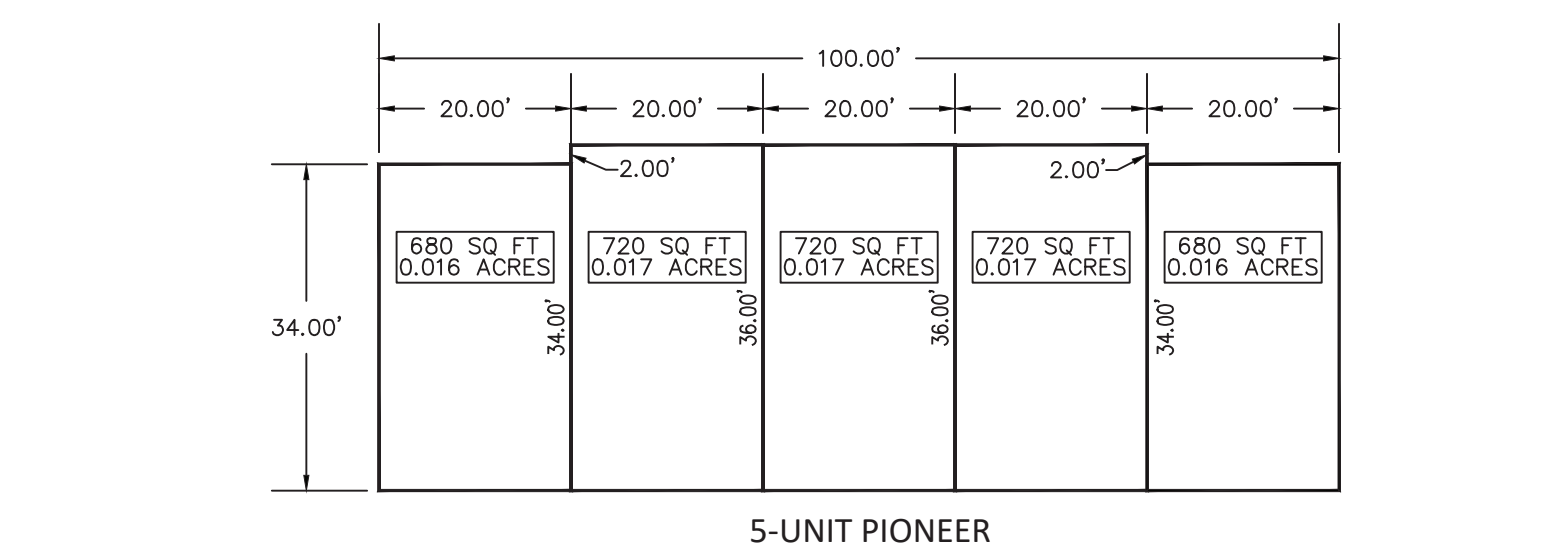
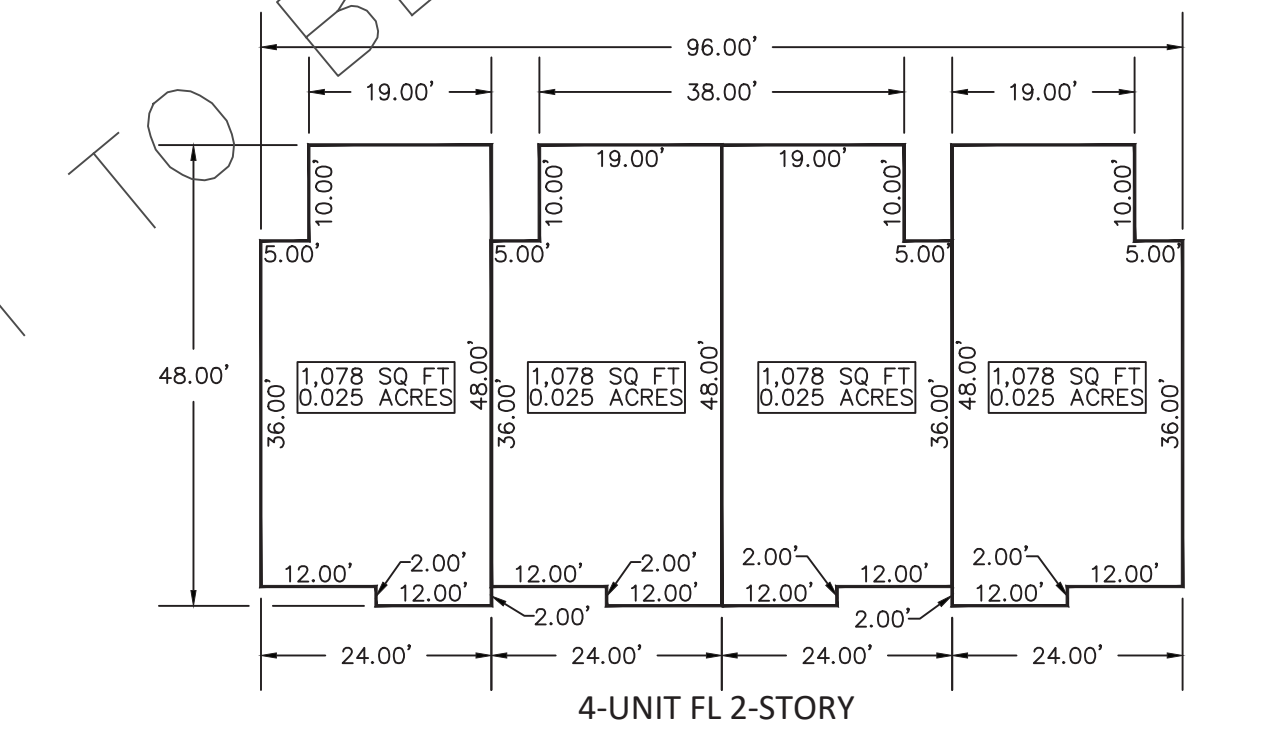
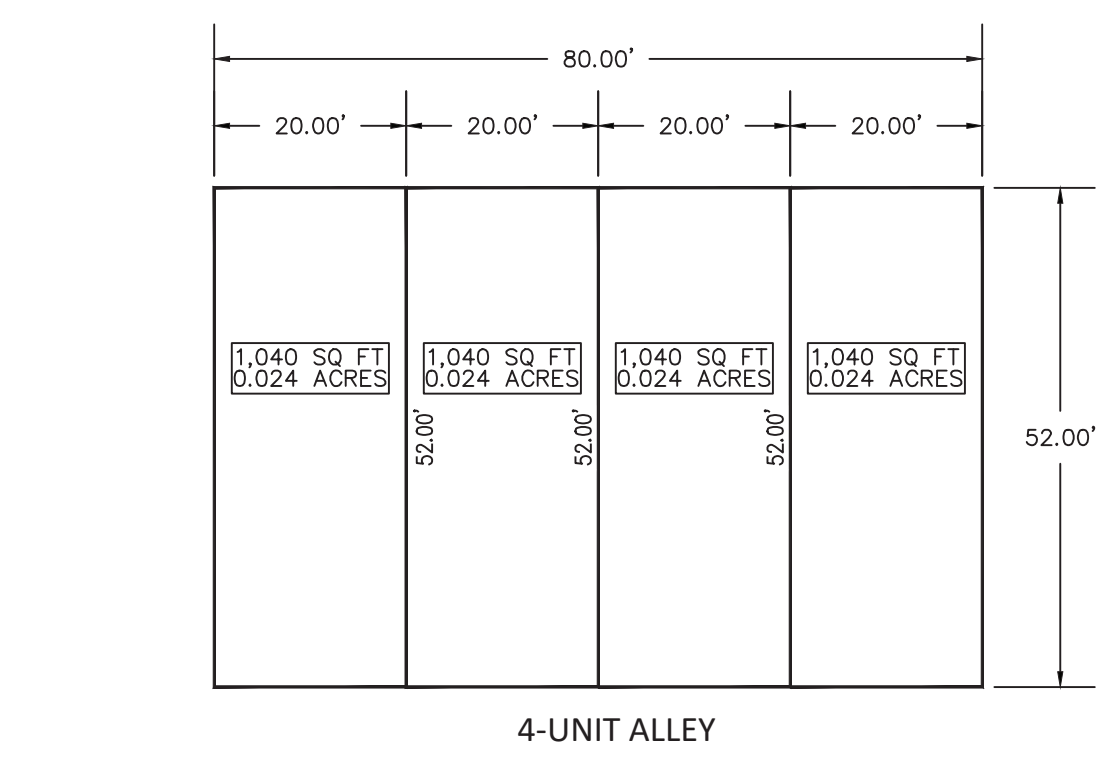
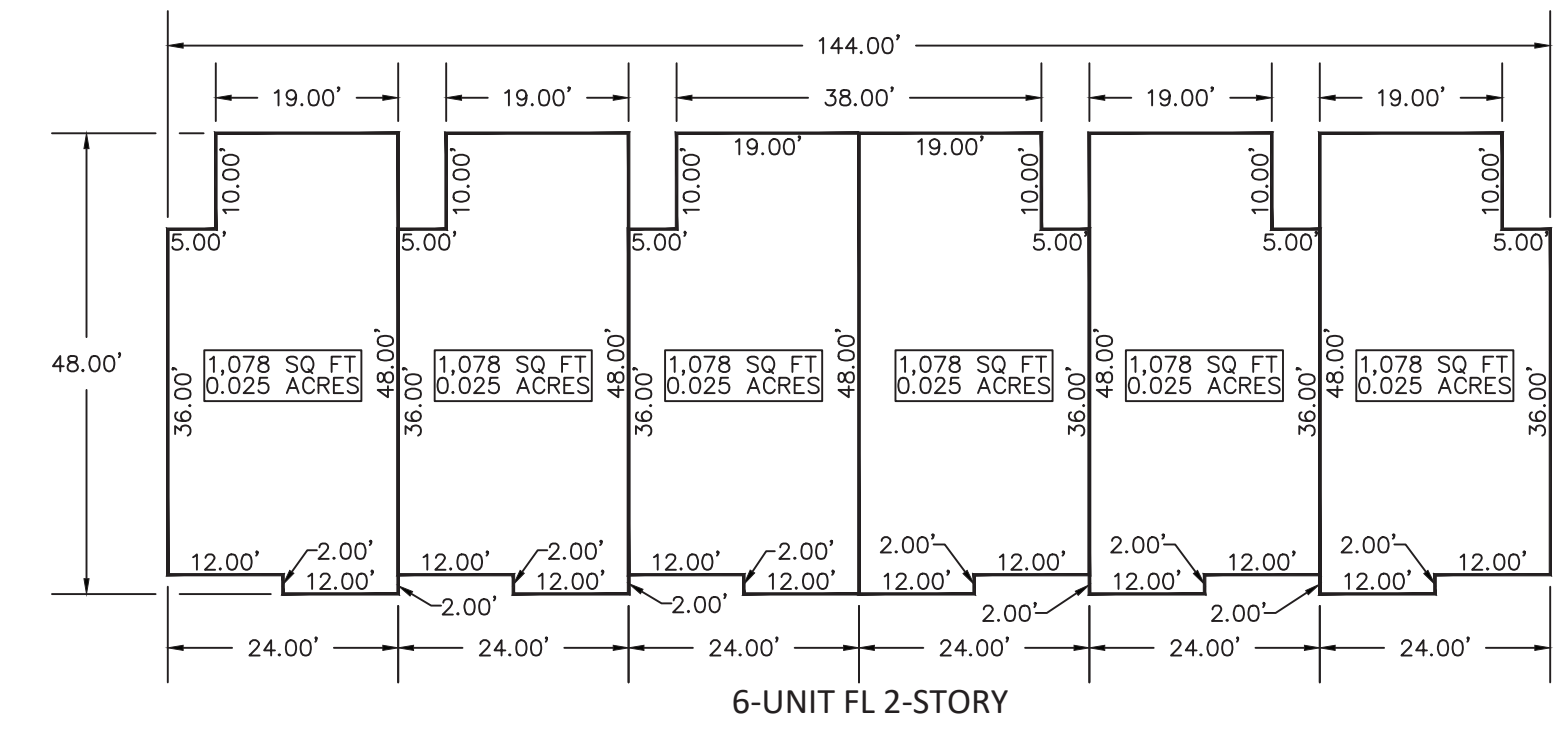
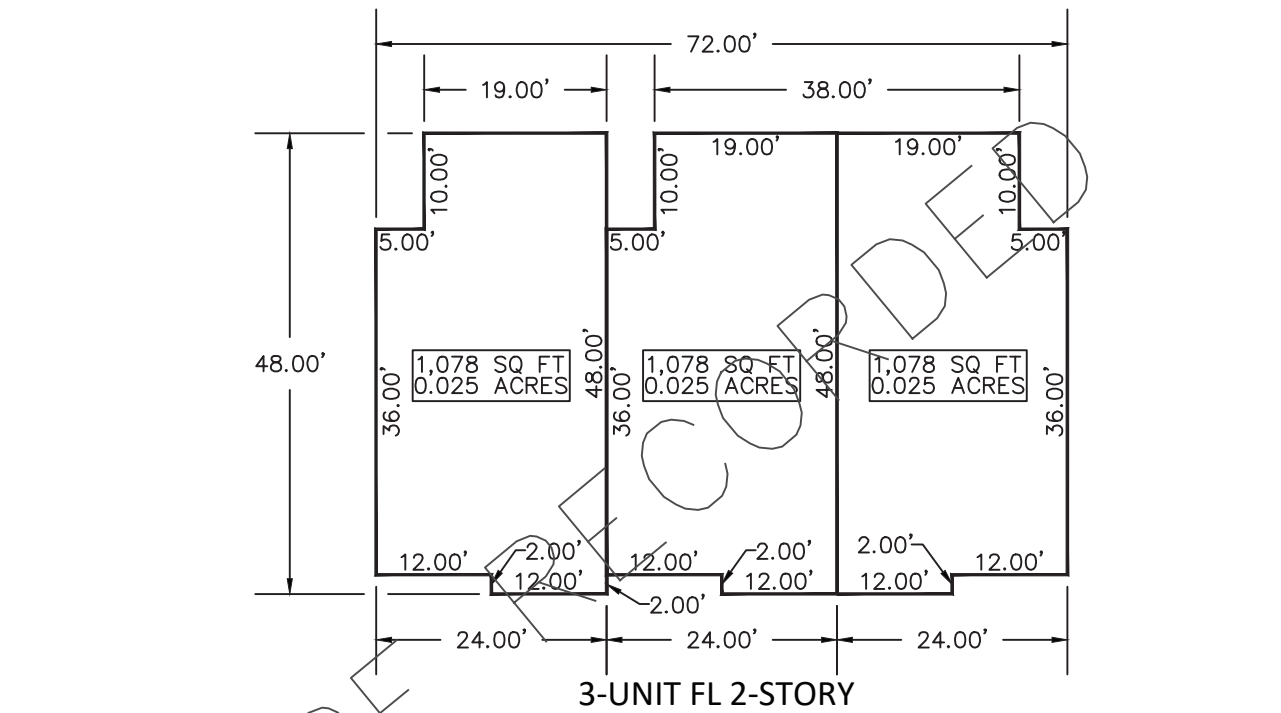


# PRELIMINARY PLAT WESTERN ACRES TOWNHOMES PHASE 2A

A RESIDENTIAL SUBDIVISION

LOCATED IN THE NORTHWEST QUARTER OF SECTION 15, AND THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 3 SOUTH,  
RANGE 4 WEST, SALT LAKE BASE AND MERIDIAN  
TOOELE CITY, TOOELE COUNTY, UTAH  
SHEET 3 OF 3

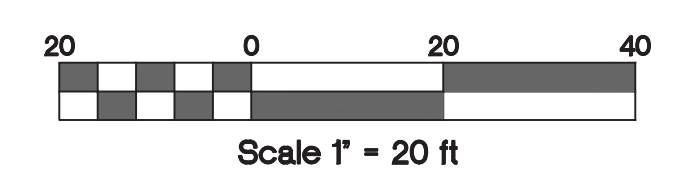
Line Table				Line Table				Line Table			
Line #	Length	Direction		Line #	Length	Direction		Line #	Length	Direction	
L1	35.14	S51°26'26"W		L51	10.00	N89°59'59"E		L101	18.50	S89°59'59"W	
L2	30.58	S89°59'59"W		L52	10.00	S37°59'34"W		L102	18.50	S89°59'59"W	
L3	23.39	N51°26'26"E		L53	10.00	N37°59'34"E		L103	18.50	N89°59'59"E	
L4	12.61	N51°26'26"E		L54	10.00	N46°01'22"W		L104	18.50	N89°59'59"E	
L5	34.15	S22°08'55"E		L55	10.00	S46°01'22"E		L105	18.50	S89°59'59"W	
L6	34.15	N22°08'55"W		L56	10.00	N41°04'26"W		L106	18.50	S89°59'59"W	
L7	10.00	N00°00'01"W		L57	10.00	S41°04'26"E		L107	20.76	S52°41'28"E	
L8	10.00	S00°00'01"E		L58	35.00	N89°59'59"E		L108	37.00	N37°59'34"E	
L9	6.00	N00°00'01"W		L59	29.37	S89°59'59"W		L109	26.24	N37°59'34"E	
L10	6.00	S00°00'01"E		L60	30.00	N89°59'59"E		L110	26.24	N37°59'34"E	
L11	6.00	N00°00'01"W		L61	30.00	S89°59'59"W		L111	10.00	S37°59'25"W	
L12	6.00	S00°00'01"E		L62	30.00	N87°50'06"W		L112	11.42	S66°53'50"W	
L13	6.00	S00°00'01"E		L63	13.80	N02°09'54"E		L113	42.86	S37°59'34"W	
L14	6.00	N00°00'01"W		L64	44.02	S52°00'26"E		L114	28.54	S55°44'42"W	
L15	6.00	N00°00'01"W		L65	58.55	N37°59'34"E		L115	13.00	S21°39'46"W	
L16	6.00	S00°00'01"E		L66	35.00	S37°59'34"W		L116	17.85	S45°48'26"W	
L17	10.00	N00°00'01"W		L67	30.00	S37°59'34"W		L117	19.18	N24°08'42"W	
L18	10.00	S00°00'01"E		L68	30.00	N37°59'34"E		L118	13.00	S22°37'09"W	
L19	20.00	S89°59'59"W		L69	35.00	S37°59'34"W		L119	13.00	S22°37'12"E	
L20	18.00	S89°59'59"W		L70	20.00	S45°43'02"E		L120	30.67	S25°27'06"W	
L21	10.00	N89°59'59"E		L71	24.94	N45°43'02"W		L121	42.14	S36°23'48"E	
L22	6.00	N38°00'11"E		L72	26.09	S45°43'02"E		L122	25.29	S49°33'56"E	
L23	10.00	N38°00'11"E		L73	26.61	N39°15'07"W		L123	13.00	S21°19'37"W	
L24	5.99	S37°59'34"W		L74	25.18	S39°15'07"E					
L25	10.00	S37°59'34"W		L75	29.26	N89°59'59"E					
L26	10.00	N52°01'03"W		L76	30.00	S89°59'59"W					
L27	5.99	N52°01'03"W		L77	35.00	N89°59'59"E					
L28	6.00	S52°00'26"E		L78	35.00	S89°59'59"W					
L29	10.00	S52°00'44"E		L79	30.00	S89°59'59"W					
L30	10.00	N87°50'06"W		L80	30.00	N89°59'59"E					
L31	10.00	S87°50'06"E		L81	30.00	S37°59'34"W					
L32	10.00	S52°00'26"E		L82	30.00	N37°59'34"E					
L33	10.00	N52°00'26"W		L83	35.00	S46°01'22"E					
L34	10.00	S37°59'34"W		L84	35.00	N46°01'22"W					
L35	10.00	N37°59'34"E		L85	30.05	S41°04'26"E					
L36	10.00	S37°59'34"W		L86	30.05	N41°04'26"W					
L37	10.00	N37°59'34"E		L87	10.70	N37°59'34"E					
L38	10.00	S37°59'34"W		L88	24.86	N45°43'02"W					
L39	10.00	N37°59'34"E		L89	10.00	S22°08'55"E					
L40	10.00	N45°43'02"W		L90	10.00	N22°08'55"W					
L41	10.00	S45°43'02"E		L91	7.96	N89°59'59"E					
L42	10.00	N45°43'02"W		L92	18.50	N89°59'59"E					
L43	10.00	S45°43'02"E		L93	18.50	N89°59'59"E					
L44	10.00	N39°15'07"W		L94	18.50	S89°59'59"W					
L45	10.00	S39°15'07"E		L95	18.50	S22°08'55"E					
L46	10.00	N89°59'59"E		L96	18.50	N89°59'59"E					
L47	10.00	S89°59'59"W		L97	18.50	N89°59'59"E					
L48	10.00	S89°59'59"W		L98	18.50	N89°59'59"E					
L49	10.00	N89°59'59"E		L99	18.50	S89°59'59"W					
L50	10.00	S89°59'59"W		L100	18.50	S89°59'59"W					



CURVE #	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD DISTANCE
C1	103.11'	225.50'	26°11'53"	N13°05'57"W	102.21'
C2	49.61'	34.00'	83°36'09"	N41°48'05"W	45.33'
C3	18.69'	225.50'	4°45'00"	N81°13'39"W	18.69'
C4	4.00'	34.00'	6°44'25"	S50°03'57"E	4.00'
C5	20.91'	225.50'	5°18'42"	S49°21'05"E	20.90'
C6	81.86'	200.00'	23°27'03"	S11°43'32"E	81.29'
C7	301.95'	275.00'	62°54'39"	S31°27'14"E	287.01'
C8	85.84'	200.00'	24°35'30"	S12°17'46"E	85.18'
C9	267.77'	1094.50'	14°01'03"	S50°59'10"W	267.10'
C10	83.76'	50.00'	95°59'04"	S04°00'54"E	74.31'
C11	132.62'	200.00'	37°59'35"	S71°00'13"E	130.20'
C12	86.00'	100.00'	49°16'32"	S26°48'10"W	83.38'
C13	56.76'	1069.00'	3°02'32"	S63°20'41"W	56.75'
C14	71.44'	1069.00'	3°49'44"	S59°54'33"W	71.42'
C15	7.69'	1069.00'	0°24'43"	S69°04'18"W	7.69'
C16	143.22'	1167.00'	7°01'55"	S47°29'36"W	143.13'
C17	48.36'	34.00'	81°29'51"	S24°07'02"W	44.39'
C18	65.46'	225.50'	16°37'53"	N08°18'57"W	65.23'
C19	74.68'	34.00'	125°50'39"	S65°38'15"E	60.55'
C20	68.77'	34.00'	115°53'48"	N64°03'25"W	57.63'
C21	60.45'	34.00'	101°52'36"	N50°56'17"E	52.80'
C22	79.54'	174.50'	26°06'59"	S65°03'56"E	78.85'
C23	41.04'	24.50'	95°59'04"	S04°00'54"E	36.41'

CURVE #	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD DISTANCE
C24	261.53'	1069.00'	14°01'03"	S50°59'10"W	260.88'
C25	157.36'	1120.00'	8°02'59"	S48°00'08"W	157.23'
C26	126.48'	75.50'	95°59'04"	S04°00'54"E	112.20'
C27	124.35'	225.50'	31°35'43"	S67°48'18"E	122.78'
C28	6.47'	34.00'	10°54'25"	N45°59'13"E	6.46'
C29	107.93'	125.50'	49°16'32"	S26°48'10"W	104.64'
C30	48.58'	34.00'	81°51'50"	N87°37'39"W	44.55'
C31	64.07'	74.50'	49°16'32"	S26°48'10"W	62.12'
C32	53.41'	34.00'	90°00'00"	N07°00'26"W	48.08'
C33	7.69'	1069.00'	0°24'43"	S70°37'51"W	7.69'
C34	96.03'	1069.00'	5°08'50"	N67°51'05"E	96.00'
C35	18.60'	174.50'	6°06'30"	N03°03'32"W	18.59'
C36	378.81'	345.00'	62°54'39"	S31°27'14"E	360.07'
C37	2.50'	174.50'	0°49'10"	N05°41'56"W	2.50'
C38	16.11'	174.50'	5°17'20"	S02°38'41"E	16.10'
C39	2.58'	1069.00'	0°08'17"	S44°02'47"W	2.58'
C40	17.70'	1069.00'	0°56'55"	S44°35'23"W	17.70'
C41	144.11'	1069.00'	7°43'26"	S48°55'34"W	144.00'
C42	97.14'	1069.00'	5°12'24"	S55°23'29"W	97.11'
C43	5.00'	1120.00'	0°15'21"	S51°53'57"W	5.00'
C44	80.03'	1120.00'	4°05'39"	S49°43'27"W	80.01'
C45	9.01'	1120.00'	0°27'39"	S47°26'48"W	9.01'
C46	63.32'	1120.00'	3°14'21"	S45°35'49"W	63.31'

CURVE #	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD DISTANCE
C47	103.98'	225.50'	26°25'08"	S65°13'00"E	103.06'
C48	1.68'	225.50'	0°25'35"	S78°38'22"E	1.68'
C49	107.05'	125.50'	48°52'29"	S26°36'09"W	103.84'
C50	0.88'	125.50'	0°24'02"	S51°14'25"W	0.88'
C51	8.27'	174.50'	2°42'58"	S01°21'28"E	8.27'
C52	966.78'	1200.00'	46°09'37"	S67°03'27"W	940.84'
C53	16.37'	200.00'	4°41'23"	S25°47'45"E	16.37'
C54	471.08'	1094.50'	24°39'38"	S70°19'30"W	467.45'
C55	53.82'	200.00'	15°25'08"	N07°42'34"W	53.66'
C56	157.12'	175.00'	51°26'27"	N25°43'13"E	151.89'
C57	95.70'	200.00'	27°24'55"	S38°17'59"E	94.79'



**WESTERN ACRES TOWNHOMES PHASE 2A**  
A RESIDENTIAL SUBDIVISION  
LOCATED IN THE NORTHWEST QUARTER OF SECTION 15,  
AND THE NORTHEAST QUARTER OF SECTION 16,  
TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT LAKE BASE  
AND MERIDIAN  
SHEET 3 OF 3

**WILDING**  
ENGINEERING

14721 SOUTH HERITAGE CREST WAY  
BLUFFDALE, UTAH 84065  
801.553.8112  
WWW.WILDINGENGINEERING.COM

I:\DATA\19195 DR Horton Western Acres\dwg\Prelim\Phase 2 Prelim\Western Acres Phase 2A Plat-PRELIM.dwg  
PLOT DATE: Jun 27, 2022

**STAFF REPORT**

December 2, 2022

**To:** Tooele City Planning Commission  
Business Date: December 14, 2022

**From:** Planning Division  
Community Development Department

**Prepared By:** Andrew Aagard, City Planner / Zoning Administrator

**Re: Slatewood Apartments – Site Plan Design Review Request**

Application No.: P22-70  
Applicant: Mark Horne, representing Franks Apartments, LLC  
Project Location: 1201 N Franks Drive  
Zoning: MR-16 Multi-Family Residential Zone  
Acreage: 4.79 Acres (Approximately 208,652 ft<sup>2</sup>)  
Request: Request for approval of a Site Plan Design Review in the MR-16 Multi-Family Residential zone approving a new multi-family residential rental apartment development.

**BACKGROUND**

This application is a request for approval of a Site Plan Design Review for approximately 4.79 acres located at 1201 N Franks Drive. The property is currently zoned MR-16 Multi-Family Residential. The applicant is requesting that a Site Plan Design Review be approved to allow for the development of the currently vacant property with three multi-unit apartment buildings and one associated clubhouse building.

**ANALYSIS**

*General Plan and Zoning.* The Land Use Map of the General Plan calls for the High Density Residential land use designation for the subject property. The property has been assigned the MR-16 Multi-Family Residential zoning classification, supporting approximately 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 to the north of the subject property are primarily zoned R1-7 Residential. Properties to the east of the property are also zoned R1-7 Residential. Properties to the south are zoned MR-16 Multi-Family Residential and properties to the west are also zoned MR-16. Mapping pertinent to the subject request can be found in Exhibit “A” to this report.

*Site Plan Layout.* The site plan application proposes the construction of a multi-family residential apartment development. The development will consist of two apartment buildings containing 30 rental units each, one apartment building containing 12 rental units and a clubhouse proposed to be located in the south east corner of the development. The property is a shaped as a wedge and as such the buildings have been located closer to Franks Drive and Berra Boulevard in an effort to keep parking central to the development in compliance with the design guidelines.

Access into the site will be gained at two locations. One access is provided on at the north west corner and aligns with Lexington Greens Drive. Another access is provided at the south east corner adjacent to



the club house and will provide a connection to Berra Boulevard. The development will be installing the necessary frontage improvements including curb, gutter, sidewalk, park strip and the required asphalt along Berra Boulevard and Franks Drive. It is anticipated that the development will complete the improvements to Franks Drive along their project frontage.

The north side of the development is the area not able to be developed due to the narrowness of the property. This area will act as the storm water detention basin as it is also the lowest part of the site.

Subdivision Layout. This is anticipated to be a for rent development and therefore a subdivision plat is not necessary.

Landscaping. As the site is wedged shape there are portions of the site that are not able to be developed and thus resulting in significant landscaping. 42% of the site will be covered by either irrigated sod or cobbled / mulched areas for shrub and tree plantings. At the request of City Staff the applicant has eliminated a significant amount of sod by using cobble / mulch planting beds in areas that are not high use areas due to narrowness or irregularity in shape and size. Areas that are more open and able to be used for activities have retained the irrigated sod. 23% of the landscaping is proposed to be sod and 19% is proposed to be cobble / mulch.

The development proposes the installation 164 new trees consisting of a mix of deciduous and coniferous varieties. Trees have been placed in strategic locations as required by the City Code and staff has done its best to confirm the trees are where they should be. Shrub beds are included primarily around the foundations of the buildings as well other areas that would not have much use. The development proposes the installation of 814 new shrubs. Landscaping as proposed meets or exceeds the minimum requirements for landscaping as required by the Tooele City multi-family residential design guidelines.

Amenities. A development of 72 units is required to provide two amenities as well as a gathering space for the residents. The development may choose to provide a club house or an outdoor social gathering area of certain square footage. In this case the developer is providing a club house for the use of the residents. Other amenities on the site include picnic tables in various locations, a child play structure, a hot tub area, a pickle ball court and a dog park. As such the development provides more amenities than is required by the City's design guidelines.

Parking. Parking areas are contained, as much as possible, interior to the site and largely obscured from view on the public streets by the buildings and landscaping. Ordinance requires two parking stalls per unit. At 72 units the base requirement for parking is 144 parking stalls. There is also a guest parking requirement of 1 parking stall for every 4 units thus resulting in a requirement for an additional 18 parking stalls. Total parking requirement for this development is 162 parking stalls. The development is providing 163 and therefore exceeds the minimum requirements.

Covered parking must also be provided at a ratio of 1 covered parking stall per unit. Therefore, half the base parking stalls required need to be covered by either a canopy, garage structure or by other means. The site plan demonstrates where there will be parking canopies installed. 72 of the parking stalls will be covered by a canopy structure.

Architecture. The apartment buildings are three story buildings and facades are primarily going to be masonry ledge stone or brick with a combination of horizontal siding, board and bat siding and stucco. The building elevations have been reviewed according to horizontal and vertical relief elements and staff is confident the elevations do provide the necessary horizontal and vertical relief elements in the pitched roof line, the columns, balconies, windows and bay or box windows.



Building exterior materials may vary but at least 60% of the front building façade must be at least brick or stone. The entire building must maintain at least 50% of the façade as brick or stone and side building facades facing a public street must maintain 40% brick or stone. Staff is confident the building does meet the minimum requirements as the buildings were designed using the previous architectural standard, however, the submitted architectural elevations are still referencing the previous design standard. Staff would request that the applicant provide revised building elevations that demonstrate the building exteriors meet or exceed the minimum coverage requirements for stone or brick as required by the current code.

Signage. Development signage is being provided at each entrance. These signs will be approved as part of a separate sign permit application.

Fencing. Tooele City multi-family residential design guidelines require 6 foot view obscuring fencing with masonry piers be provided when the project is adjacent to single-family or commercial zones. In this case there is single-family residential development to the west in the Providence subdivision. There may already be fencing installed there. In this case the fencing has already been provided and the requirement is considered satisfied. Where fencing does not exist along that boundary the applicant will be installing 6 foot vinyl fencing with masonry piers every 18 feet. Public street frontages may have non-view obscuring fencing or no fencing at all thus only the east side requires fencing.

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:

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

Section 7-11-8. Considerations in review of applications. The Planning Commission and the Engineering Department shall consider the following matters, among others, in their review of applications:

- (1) Considerations relating to traffic safety and traffic congestion:
  - (a) The effect of the site development plan on traffic conditions on abutting streets.
  - (b) The layout of the site with respect to locations and dimensions of vehicular and pedestrian entrances, exits, drives, and walkways.
  - (c) The arrangement and adequacy of off-street parking facilities to prevent traffic congestion.
  - (d) The location, arrangement, and dimensions of truck loading and unloading facilities.
  - (e) The circulation patterns within the boundaries of the development.
  - (f) The surfacing and lighting of off-street parking facilities.
- (2) Considerations relating to outdoor advertising:
  - (a) The number, location, color, size, height, lighting, and landscaping of outdoor advertising signs and structures in relation to the creation of traffic hazards and the appearance and harmony with neighboring development.
- (3) Considerations relating to landscaping:

- (a) The location, height, and materials of walls, fences, hedges, and screen plantings to insure harmony with neighboring development, or to conceal storage areas, utility installations, or other unsightly development.
- (b) The planting of ground cover or other surfacing to prevent dust and erosion.
- (c) The unnecessary destruction of existing healthy trees.
- (4) Considerations relating to buildings and site layout:
  - (a) Consideration of the general silhouette and mass, including location on the site, elevations, and relation to natural plant coverage, all in relationship to neighboring development.
  - (b) Consideration of exterior design in relation to adjoining structures in height, bulk, and area openings, breaks in facade facing on streets, line and pitch of roofs, and the arrangement of structures on the parcel.
- (5) Considerations relating to drainage:
  - (a) The effect of the site development plan on the adequacy of the storm and surface water drainage, retention, and/or detention.

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

## **REVIEWS**

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

1. Building architecture plans do not confirm the building exteriors meet the minimum coverage requirements for brick or stone as defined by current codes. Staff believes they do but the plans need to be amended to confirm this.
2. The site plan, landscape plan and parking areas do meet or exceed the minimum requirements for site plan development as required by the Tooele City multi-family residential design guidelines.

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

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

## **STAFF RECOMMENDATION**

Staff recommends approval of the request for a Site Plan Design Review by Mark Horne, representing Franks Apartments, LLC, application number P22-70, 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.
5. That the applicant submit revised building elevations demonstrating that the building exteriors comply with current ordinance requirements for minimum amount of exterior coverage as brick or stone for each façade as well as total building coverage.

This recommendation is based on the following findings:

1. The proposed development plans meet the intent, goals, and objectives of the Tooele City General Plan.
2. The proposed development plans meet the requirements and provisions of the Tooele City Code.
3. The proposed development plans will not be deleterious to the health, safety, and general welfare of the general public nor the residents of adjacent properties.
4. The proposed development conforms to the general aesthetic and physical development of the area.
5. The public services in the area are adequate to support the subject development.
6. The proposed development meets or exceeds minimum design guideline requirements for the site plan, landscape plan and parking areas.

### **MODEL MOTIONS**

Sample Motion for Approval – “I move we approve the Site Plan Design Review Request by Mark Horne, representing Franks Apartments, LLC for the Slatewood Apartments, application number P22-70, based on the findings and subject to the conditions listed in the Staff Report dated December 2, 2022:”

1. List any additional findings and conditions...

Sample Motion for Denial – “I move we deny the Site Plan Design Review Request by Mark Horne, representing Franks Apartments, LLC for the Slatewood Apartments, application number P22-70, based on the following findings:”

1. List findings...



**EXHIBIT A**

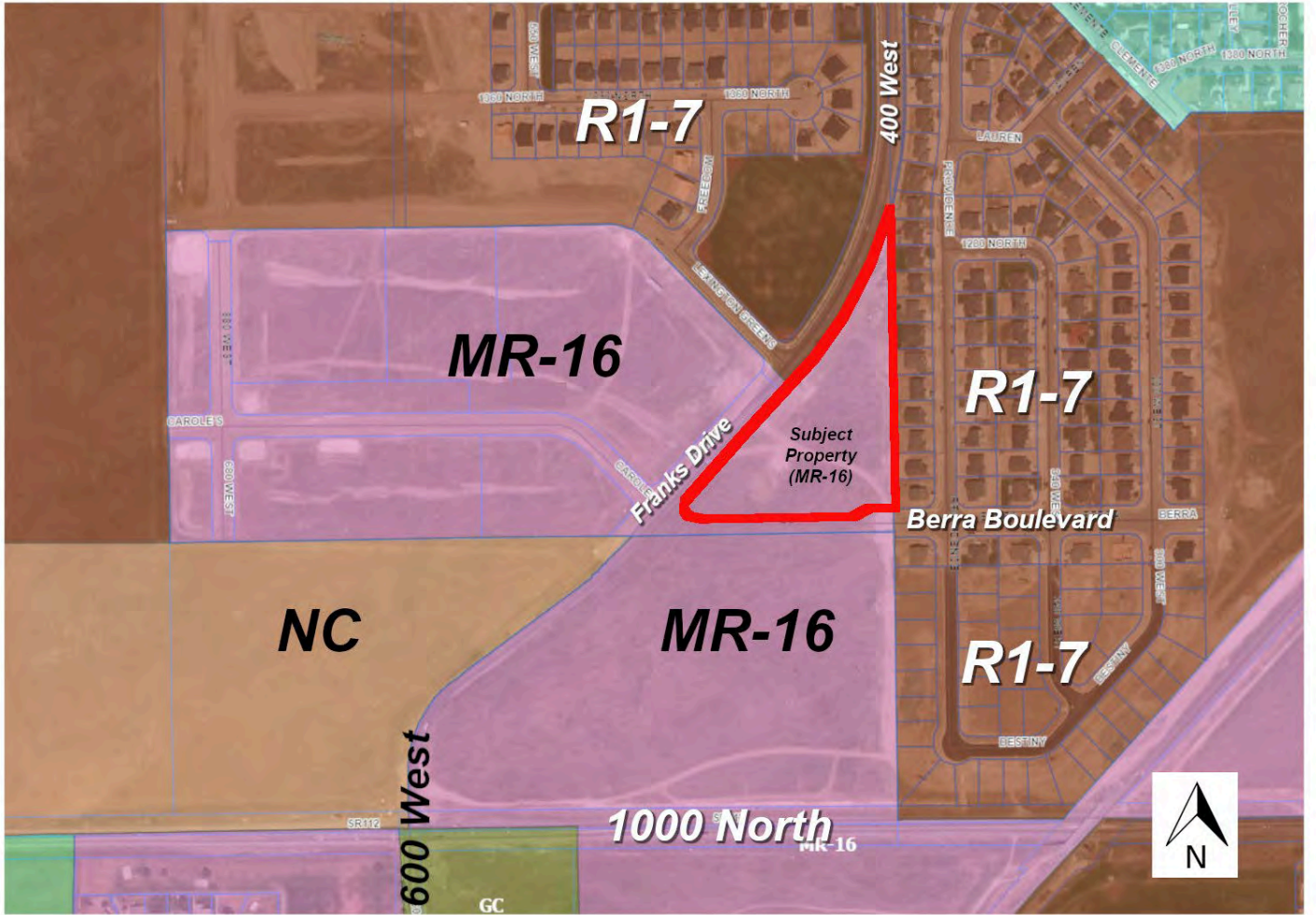
**MAPPING PERTINENT TO THE SLATEWOOD APARTMENTS SITE PLAN DESIGN REVIEW**

***Slatewood Apartments Site Plan Design Review***



***Aerial View***

# Slatewood Apartments Site Plan Design Review



**Current Zoning**

**EXHIBIT B**

**PROPOSED DEVELOPMENT PLANS &  
APPLICANT SUBMITTED INFORMATION**



# Site Plan Application

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



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

Project Information					
Date of Submission: 1/24/22	Submittal #: <input checked="" type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4	Zone: MR16	Acres: 4.79	Parcel #(s): 21-037-0-0161	
Project Name: SLATEWOOD APARTMENTS					
Project Address: 1201 N. FRANKS DR., TOOELE, UT 84074					
Project Description: 72 UNIT APARTMENT PROJECT			Phases: 1	Lots: 1	
Property Owner(s): FRANKS APARTMENTS I, LLC			Applicant(s): FRANKS APARTMENTS I, LLC		
Address: 2750 N. UNIVERSITY AVE STE 100			Address: 2750 N. UNIVERSITY AVE STE 100		
City: PROVO	State: UT	Zip: 84604	City: PROVO	State: UT	Zip: 84604
Phone: 801-809-4560	Email: mark@hornemg.com		Phone: (801)809-4560	Email: mark@hornemg.com	
Contact Person: MARK HORNE			Address: 2750 N. UNIVERSITY AVE STE 100		
Phone: 801-809-4560			City: PROVO	State: UT	Zip: 84604
Cellular: 801-809-4560	Fax:		Email: mark@hornemg.com		
Engineer & Company: ENSIGN, COREY CHILD			Surveyor & Company: ENSIGN, DOUG KINSMAN		
Address: 169 N. MAIN ST			Address: 169 N. MAIN ST.		
City: Tooele	State: UT	Zip: 84074	City: TOOELE	State: UT	Zip: 84074
Phone: (435)843-3590	Email: cchild@ensignutah.com		Phone: (435)843-3590	Email: dkinsman@ensignutah.com	

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

**Note:**

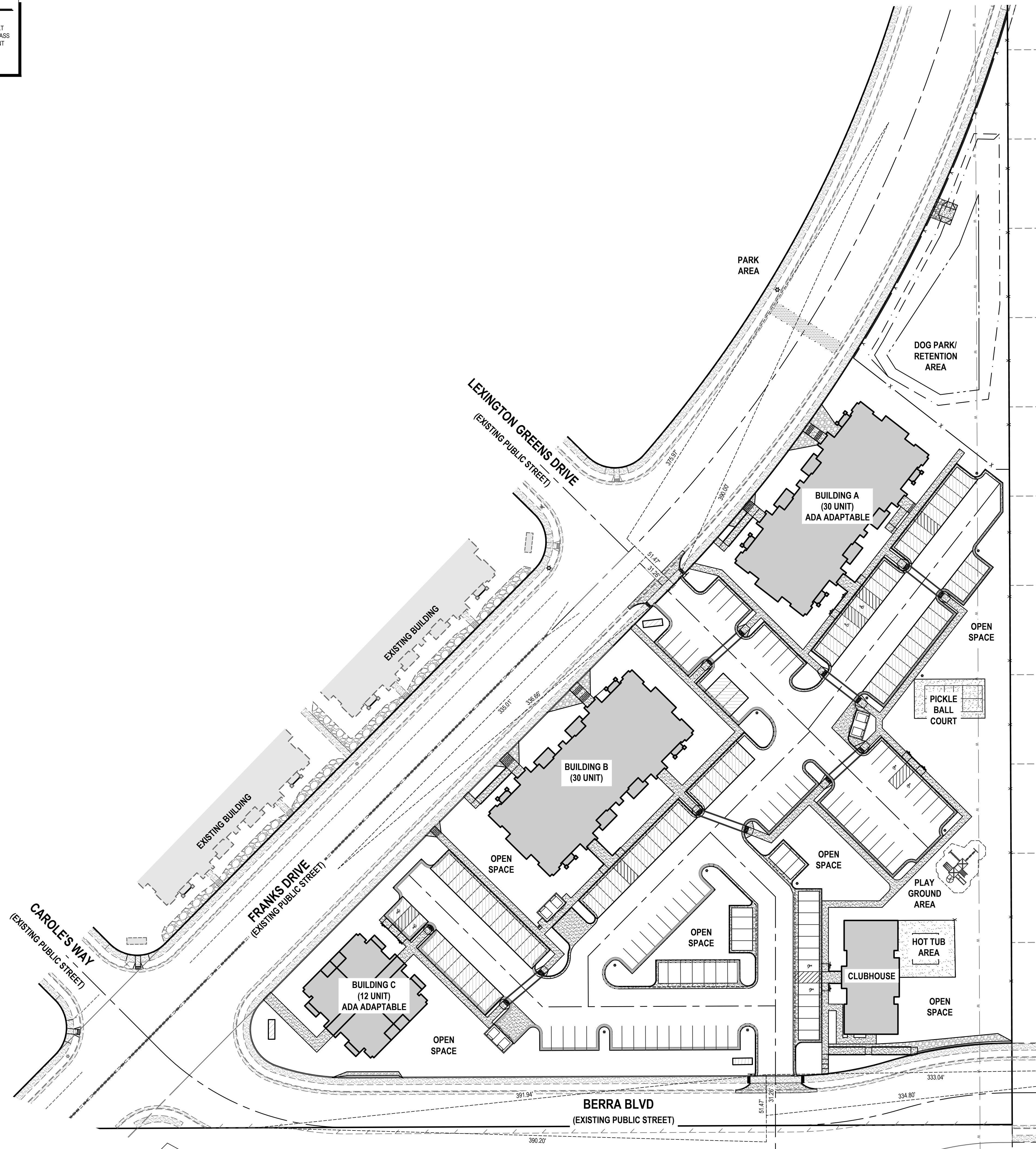
- A new application and checklist must accompany each submittal.
- Developer must submit plans in complete format to facilitate their review. Plans will be reviewed by the City staff, once they are found complete, they will be forwarded to Planning Commission for consideration. (as necessary)
- All fees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

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





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



- GENERAL NOTES**
- ALL WORK TO COMPLY WITH THE GOVERNING AGENCY'S STANDARDS AND SPECIFICATIONS.
  - ALL IMPROVEMENTS MUST COMPLY WITH ADA STANDARDS AND RECOMMENDATIONS.
  - SEE LANDSCAPE/ARCHITECTURAL PLANS FOR CONCRETE MATERIAL, COLOR, FINISH, AND SCORE PATTERNS THROUGHOUT SITE.
  - ALL PAVEMENT MARKINGS SHALL CONFORM TO THE LATEST EDITION OF THE M.U.T.C.D. (MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES).
  - ALL SURFACE IMPROVEMENTS DISTURBED BY CONSTRUCTION SHALL BE RESTORED OR REPLACED, INCLUDING TREES AND DECORATIVE SHRUBS, SOD, FENCES, WALLS AND STRUCTURES, WHETHER OR NOT THEY ARE SPECIFICALLY SHOWN ON THE CONTRACT DOCUMENTS.
  - NOTIFY ENGINEER OF ANY DISCREPANCIES IN DESIGN OR STAKING BEFORE PLACING CONCRETE OR ASPHALT.
  - EXISTING UNDERGROUND UTILITIES AND IMPROVEMENTS ARE SHOWN IN THEIR APPROXIMATE LOCATIONS BASED UPON RECORD INFORMATION AVAILABLE AT THE TIME OF PREPARATION OF THESE PLANS. LOCATIONS MAY NOT HAVE BEEN VERIFIED IN THE FIELD AND NO GUARANTEE IS MADE AS TO THE ACCURACY OR COMPLETENESS OF THE INFORMATION SHOWN. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO DETERMINE THE EXISTENCE AND LOCATION OF THE UTILITIES SHOWN ON THESE PLANS OR INDICATED IN THE FIELD BY LOCATING SERVICES. ANY ADDITIONAL COSTS INCURRED AS A RESULT OF THE CONTRACTOR'S FAILURE TO VERIFY THE LOCATIONS OF EXISTING UTILITIES PRIOR TO THE BEGINNING OF CONSTRUCTION IN THEIR VICINITY SHALL BE BORNE BY THE CONTRACTOR AND ASSUMED INCLUDED IN THE CONTRACT. THE CONTRACTOR IS TO VERIFY ALL CONNECTION POINTS WITH THE EXISTING UTILITIES. THE CONTRACTOR IS RESPONSIBLE FOR ANY DAMAGE CAUSED TO THE EXISTING UTILITIES AND UTILITY STRUCTURES THAT ARE TO REMAIN. IF CONFLICTS WITH EXISTING UTILITIES OCCUR, THE CONTRACTOR SHALL NOTIFY THE ENGINEER PRIOR TO CONSTRUCTION TO DETERMINE IF ANY FIELD ADJUSTMENTS SHOULD BE MADE.
  - ALL CONSTRUCTION SIGNAGE, BARRICADES, TRAFFIC CONTROL DEVICES, ETC. SHALL CONFORM TO THE LATEST EDITION OF THE M.U.T.C.D. THE CONTRACTOR WILL MAINTAIN SUCH SO THAT THEY ARE PROPERLY PLACED AND VISIBLE AT ALL TIMES.
  - SIDEWALKS AND CURBS DESIGNATED TO BE DEMOLISHED SHALL BE DEMOLISHED TO THE NEAREST EXPANSION JOINT, MATCHING THESE PLANS AS CLOSELY AS POSSIBLE.
  - THE CONTRACTOR IS TO PROTECT AND PRESERVE ALL EXISTING IMPROVEMENTS, UTILITIES, AND SIGNS, ETC. UNLESS OTHERWISE NOTED ON THESE PLANS.

PARKING REQUIREMENTS	
(1) 12 UNITS APARTMENTS	= 12 UNITS
(2) 30 UNITS APARTMENTS	= 60 UNITS
	= 72 UNITS
APARTMENT PARKING STALLS REQUIRED	
72 UNITS*2 STALLS	= 144 STALLS
72 UNITS / 4 UNITS/1 STALL	= 18 STALLS
<b>TOTAL REQUIRED STALLS</b>	<b>= 162 STALLS</b>
PARKING STALLS PROVIDED	
COVERED	= 72 STALLS
STANDARD	= 72 STALLS
VISITOR PARKING (ADA)	= 19 STALLS (8 STALLS)
<b>TOTAL PROVIDED</b>	<b>= 163 STALLS</b>

**ENSIGN**  
 THE STANDARD IN ENGINEERING

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

**SALT LAKE CITY**  
 Phone: 801.255.0529

**LAYTON**  
 Phone: 801.547.1100

**CEDAR CITY**  
 Phone: 435.865.1453

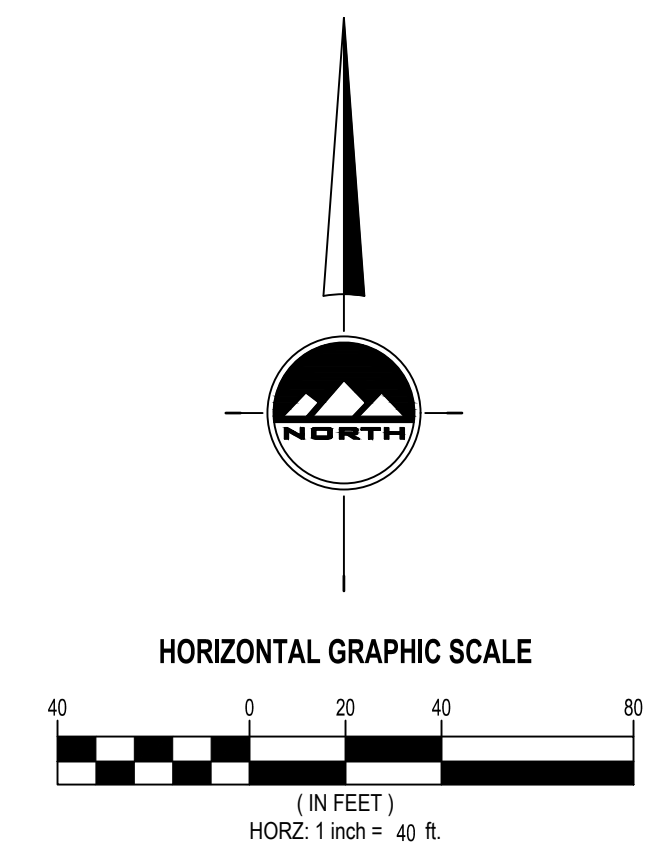
**RICHFIELD**  
 Phone: 435.896.2983

**WWW.ENSIGNENG.COM**

FOR:  
 HMS DEVELOPMENT LLC  
 2750 NORTH UNIVERSITY AVENUE, SUITE 100  
 PROVE, UTAH 84604

CONTACT:  
 MARK HORNE  
 PHONE: 801-602-6922

**SLATEWOOD APARTMENTS  
 AT OVERLAKE**  
 1201 NORTH FRANKS DRIVE  
 TOOELE CITY, UTAH

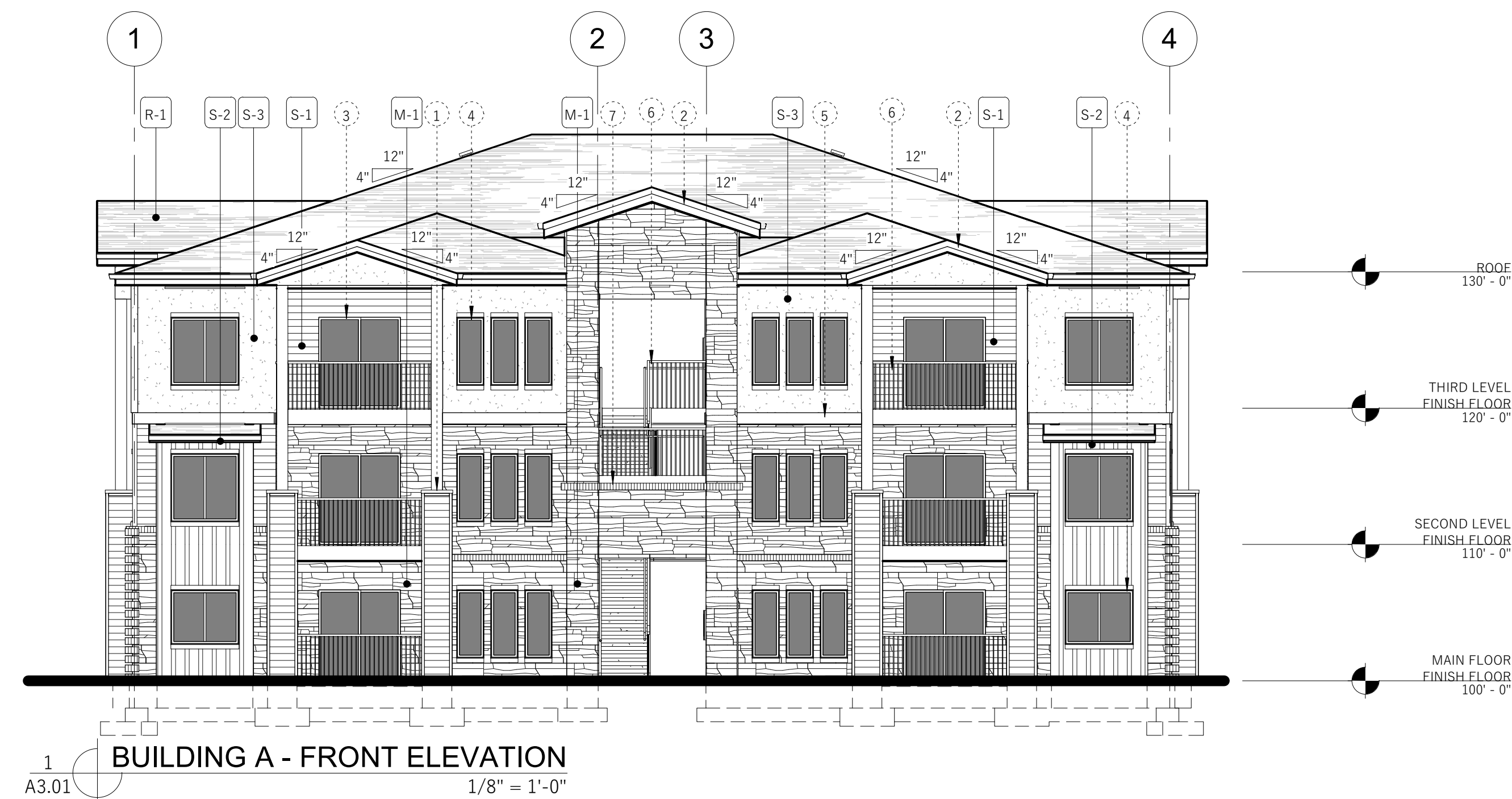


**OVERALL SITE PLAN**

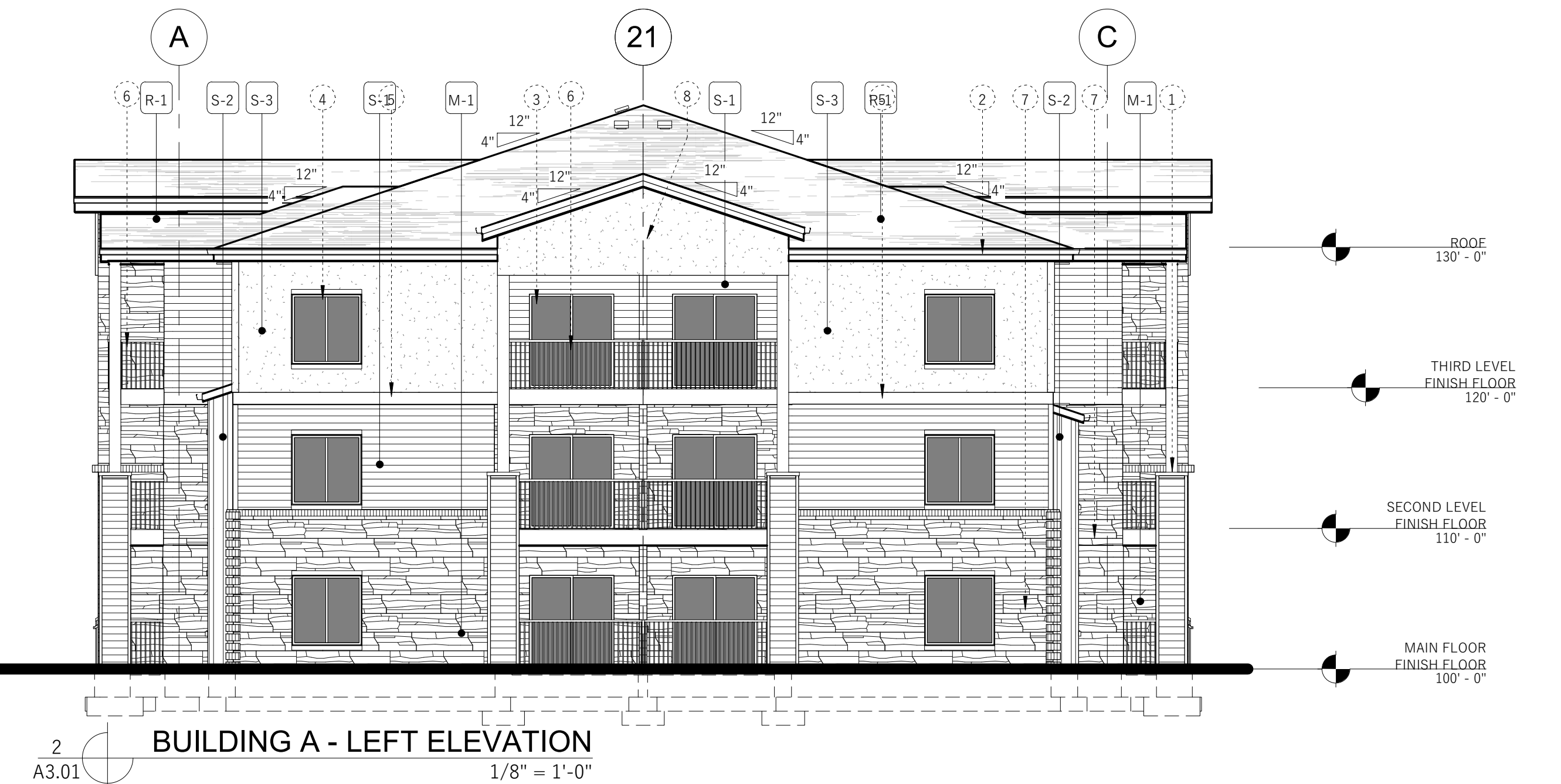
PROJECT NUMBER: 8260L      PRINT DATE: 2022-11-17  
 DRAWN BY: C. CHILD      CHECKED BY: J. CLEGG  
 PROJECT MANAGER: C. CHILD

**C-100**





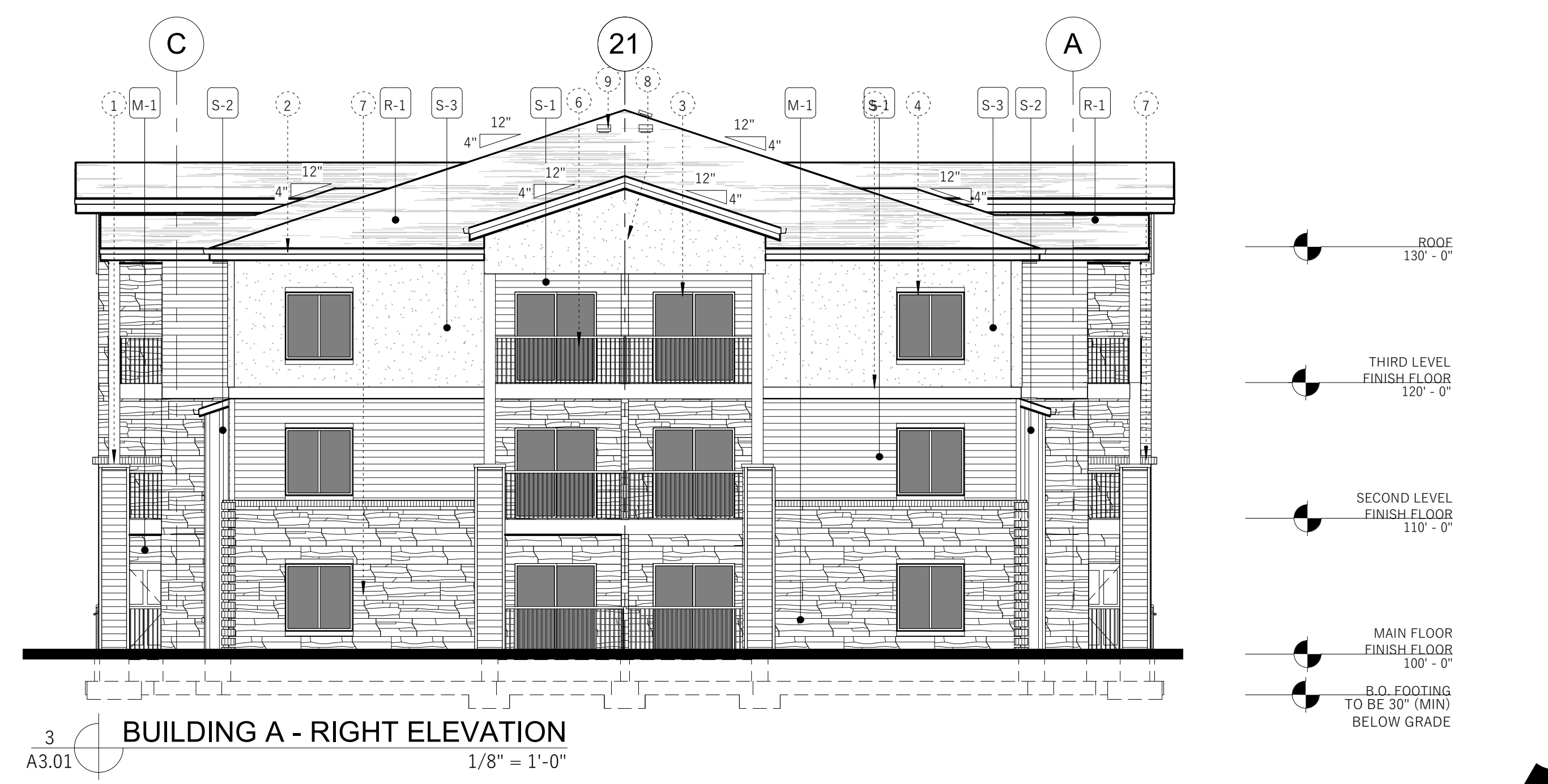
1 BUILDING A - FRONT ELEVATION  
1/8" = 1'-0"



2 BUILDING A - LEFT ELEVATION  
1/8" = 1'-0"



4 BUILDING A - REAR ELEVATION  
1/8" = 1'-0"



3 BUILDING A - RIGHT ELEVATION  
1/8" = 1'-0"

MATERIAL LEGEND			
IMAGE	CODE	MATERIAL	COLOR / FINISH
	M-1	*MASONRY - LEDGESTONE	BLACK MOUNTAIN
	S-1	6" HORIZONTAL SIDING	SAGE GREEN
	S-2	BOARD AND BATT SIDING	WHITE
	S-3	STUCCO	CREAM
	S-4	STUCCO	WHITE
	R-1	SHINGLE	MAX DEF MOIRE BLACK OR SIMILIAR
	C-1	PAINTED WOOD	WHITE

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

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

KEYED NOTES	
1	4" TRIM, COLOR: WHITE
2	1" X 8" CEMENT FIBER BOARD FASCIA COLOR TO MATCH TRIM
3	DOOR AS PER SCHEDULE
4	WINDOW AS PER SCHEDULE
5	10" TRIM, COLOR: WHITE
6	GUARDRAIL TO MEET ALL I.B.C. REQUIREMENTS; SEE DETAIL 8 ON SHEET A3.4. COLOR: POWDER COAT DARK BRONZE
7	BRICK SOLDIER COURSE CAP
8	BUILDING LETTER TO BE INSTALLED AT THIS LOCATION
9	VENTS AND PIPES SHALL BE BLACK OR OF A COLOR SIMILAR TO THE SURROUNDING ROOFTOP.

PROJECT NUMBER  
**21017**

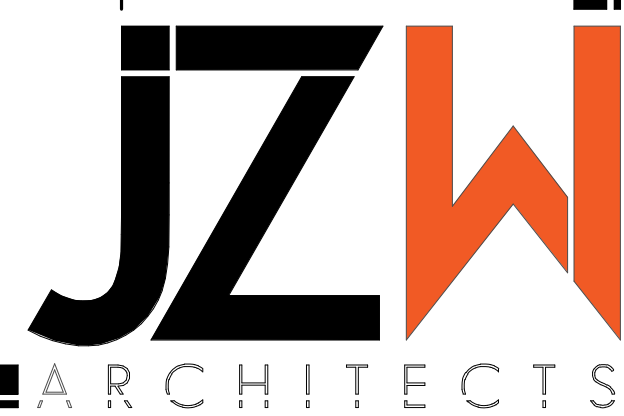
ISSUE DATE:  
**AUGUST 4, 2021**

REVISIONS:  
No.      Date

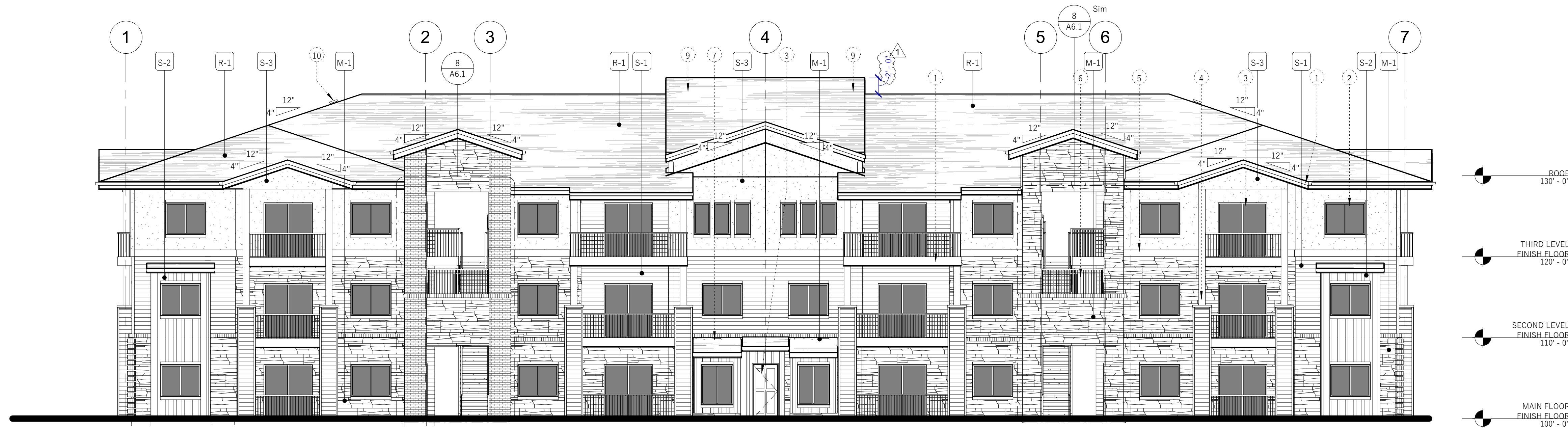
**SLATEWOOD APARTMENTS**  
12 PLEX  
1201 NORTH FRANKS DRIVE  
TOOELE, UT 84074

**BLD A -  
ELEVATIONS**

**A3.01**







1  
B3.01

**BLD B - FRONT ELEVATION**  
1/8" = 1'-0"

GENERAL NOTES - ELEVATION	
A	SEE GENERAL NOTES ON SHEET T1.2 FOR ADDITIONAL REQUIREMENTS.
B	COORDINATE WINDOW HEIGHTS WITH WINDOW SCHEDULE.
C	OWNER TO SELECT SIDING COLOR AND TEXTURE. INSTALL AS PER ELEVATIONS.
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E	PROVIDE RAIN GUTTERS AND DOWN SPOUTS AS REQUIRED.
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G	OWNER TO SELECT BRICK FOR BRICK VENEER. INSTALL AS PER ELEVATIONS, AND AS PER I.B.C. SEE GENERAL MASONRY NOTES.
H	OWNER TO SELECT STUCCO COLOR AND TEXTURE. INSTALL AS PER ELEVATIONS, AND AS PER I.B.C.
I	SEE ROOF PLAN FOR ALL ROOF SLOPES.

**PROJECT NUMBER**  
**21017**

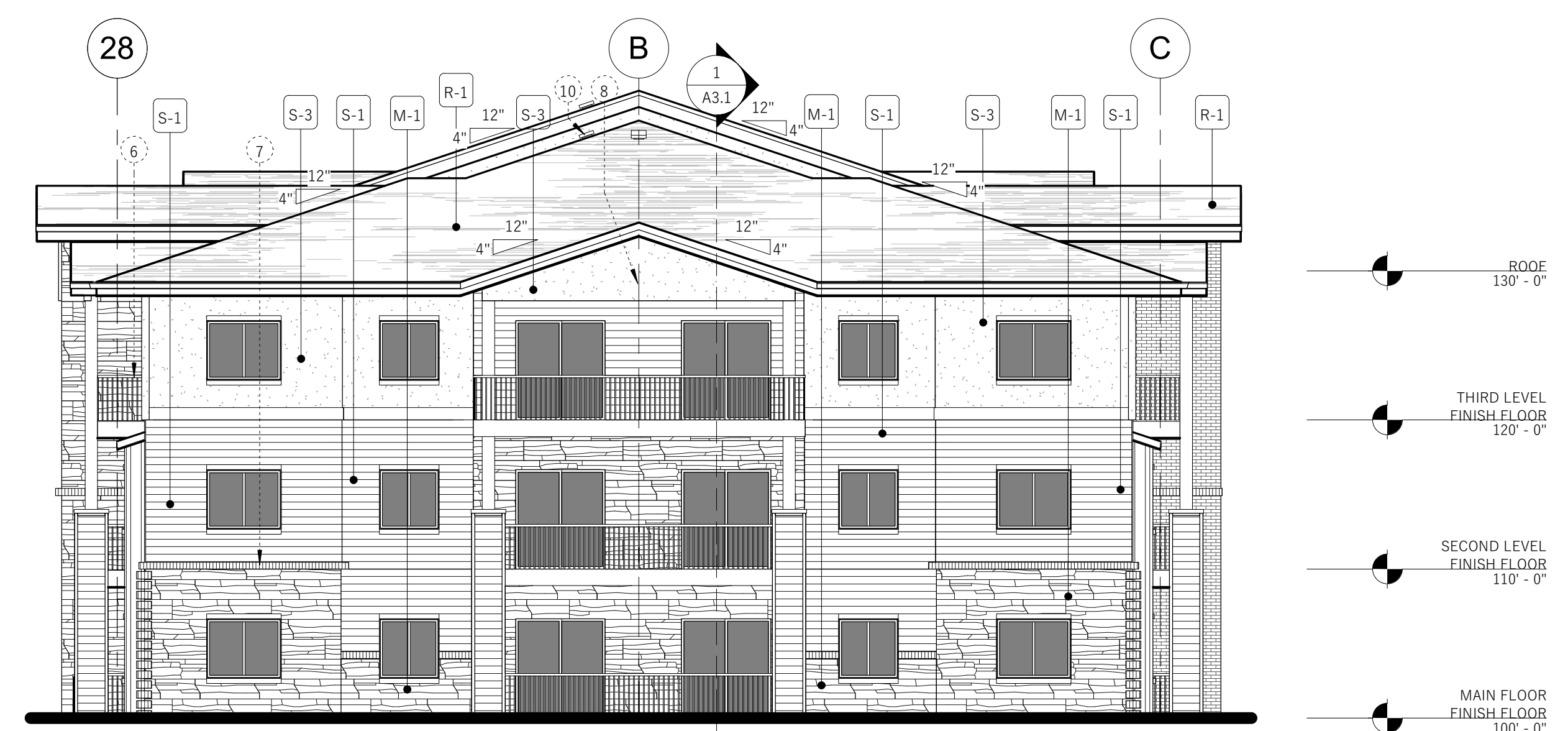
**ISSUE DATE:**  
**AUGUST 8, 2021**

**REVISIONS:**

No.	Date
1	FEB 02 2022

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

**SLATEWOOD APARTMENTS**  
**30-PLEX**  
**1201 NORTH FRANKS DRIVE**  
**TOOELE, UT 84074**



2  
B3.01

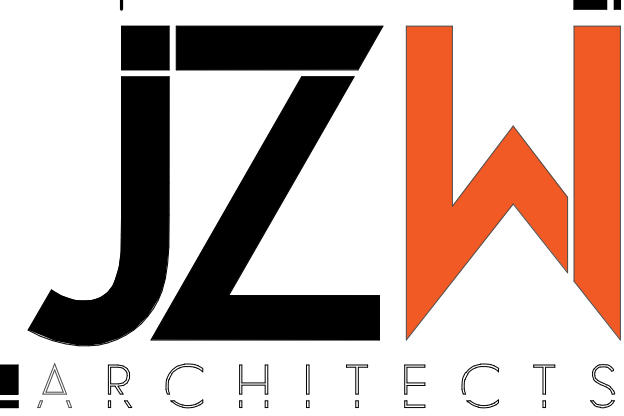
**BLD B - LEFT ELEVATION**  
1/8" = 1'-0"

MATERIAL LEGEND			
IMAGE	CODE	MATERIAL	COLOR / FINISH
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	S-1	6" HORIZONTAL SIDING	SAGE GREEN
	S-2	BOARD AND BATT SIDING	WHITE
	S-3	STUCCO	CREAM
	S-4	STUCCO	WHITE
	R-1	SHINGLE	MAX DEF MOIRE BLACK OR SIMILAR
	C-1	PAINTED WOOD	WHITE

**30 PLEX - ELEVATIONS**

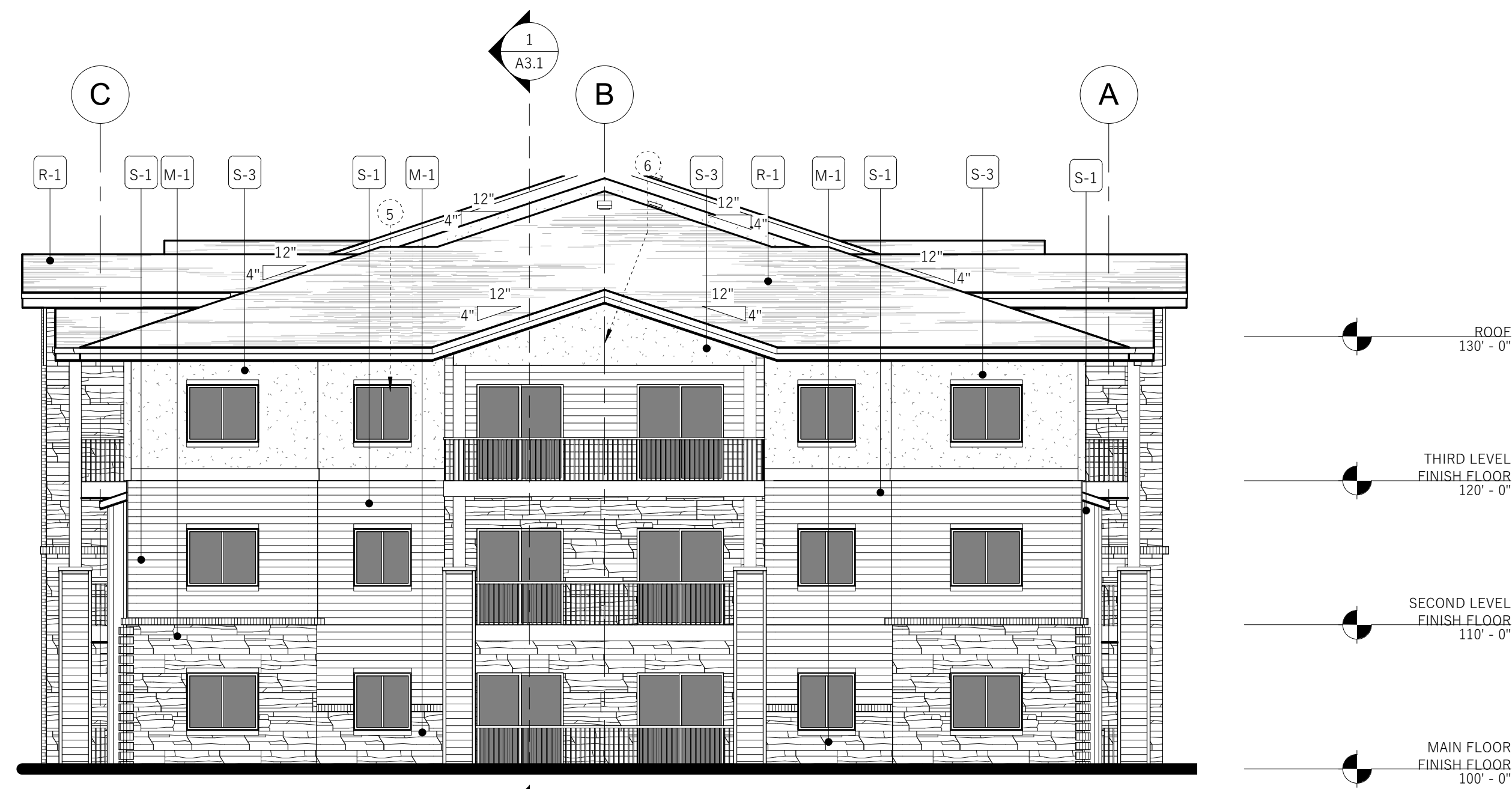
**B3.01**

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1  
B3.02 — BLD B - REAR ELEVATION  
1/8" = 1'-0"



2  
B3.02 — BLD B - RIGHT ELEVATION  
1/8" = 1'-0"

GENERAL NOTES - ELEVATION

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

KEYED NOTES

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

MATERIAL LEGEND

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	S-1	6" HORIZONTAL SIDING	SAGE GREEN
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	S-4	STUCCO	WHITE
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PROJECT NUMBER  
**21017**

ISSUE DATE:  
**AUGUST 8, 2021**

REVISIONS:  
No.      Date

**SLATEWOOD APARTMENTS**  
30-PLEX  
1201 NORTH FRANKS DRIVE  
TOOELE, UT 84074

30 PLEX -  
ELEVATIONS

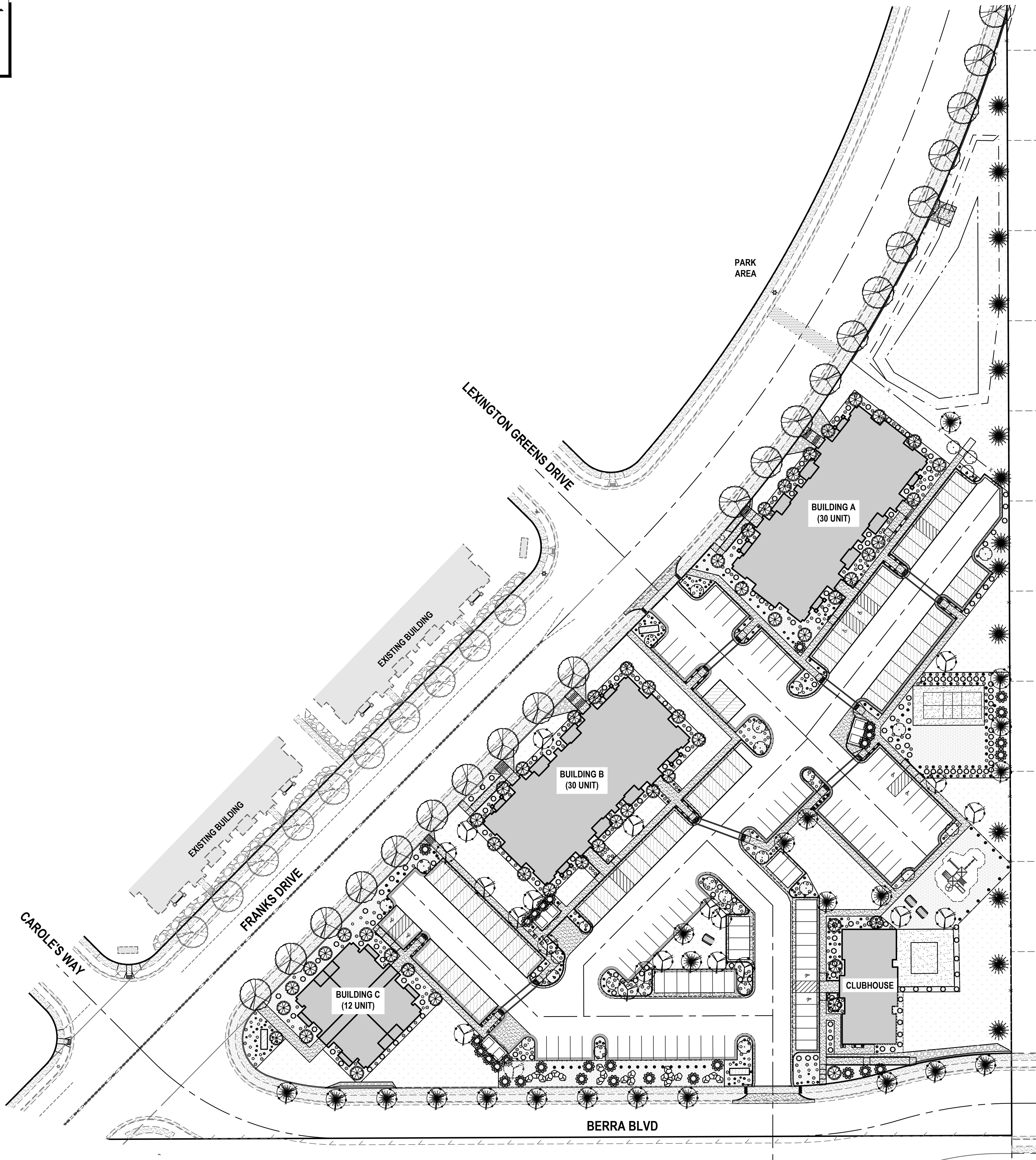
**B3.02**



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

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

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



**Trees**

Qty	Symbol	Common Name	Plant Size
54		Redbud, Eastern	2" Cal.
22		Plum, Cherry 'Thundercloud'	2" Cal.
30		Gallery Pear	2" Cal.
22		Bur Oak	2" Cal.
22		Japanese Black Pine	2" Cal.
14		Austrian Pine	2" Cal.
Total: 164			GROUND FLOOR DWELLING UNITS = 24 UNITS

**Shrubs Under 4 Feet**

Qty	Symbol	Common Name	Plant Size
127		Cinquefoil	2 Gallon
230		Barberry, 'Crimson Pygmy'	2 Gallon
187		Currant, Alpine	1 Gallon
31		Forsythia Golden Bells	3 Gallon
159		Blue Oat Grass	1 Gallon
80		Feather Reed Grass 'Karl Foerster'	1 Gallon
Total: 814			

**Annuals-Perennials**

Qty	Symbol	Common Name	Plant Size
33	*	Daylily	1 Gallon

**SITE SUMMARY TABLE**

DESCRIPTION	AREA (SF)	PERCENTAGE
HARDSCAPE	89,958	43%
ROOF	30,823	15%
LANDSCAPING (LAWN)	87,994	42%
(DRIP)	(47,725) (40,269)	(23%) (19%)
TOTAL SITE	208,775	100%
	4.8 ACRES	

- SCOPE OF WORK:**  
PROVIDE, INSTALL AND/OR CONSTRUCT THE FOLLOWING PER THE SPECIFICATIONS GIVEN OR REFERENCED, THE DETAILS NOTED, AND/OR AS SHOWN ON THE CONSTRUCTION DRAWINGS:
- INSTALL 4" DEEP LANDSCAPING BARK OR 2" 3" DIA. NEPHI ROCK & GRAVEL COLOR 'SOUTH TOWN' OR EQUIV. DECORATIVE ROCK OVER WEED BARRIER, TYP.
  - DROUGHT TOLERANT SOD AREA (BUFFALO, WHEATGRASS, GRAMMAGRASS OR TURTLE TURF, (TYP))
  - INSTALL 4" METAL EDGING (TYP)
  - OUTDOOR AMENITIES PER OWNER (TYP)
  - DECORATIVE DRY SCAPE, PLANTINGS AND LANDSCAPE BOULDERS AREA, LAYOUT PER OWNER.

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

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

TOTAL SOD AREA: 1.1 ACRE  
TOTAL DRIP AREA: 0.92 ACRE

SOD USAGE: 4.4 AF  
DRIP USAGE: 1.84 AF

TOTAL LANDSCAPE USAGE = 6.24 AF

**ENSIGN**  
THE STANDARD IN ENGINEERING

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

**SALT LAKE CITY**  
Phone: 801.255.0529

**LAYTON**  
Phone: 801.547.1100

**CEDAR CITY**  
Phone: 435.865.1453

**RICHFIELD**  
Phone: 435.896.2983

**WWW.ENSIGNENG.COM**

FOR:  
HMS DEVELOPMENT LLC  
2750 NORTH UNIVERSITY AVENUE, SUITE 100  
PROVE, UTAH 84604

CONTACT:  
MARK HORNE  
PHONE: 801-602-6922

**SLATEWOOD APARTMENTS  
AT OVERLAKE  
1201 NORTH FRANKS DRIVE  
TOOELE CITY, UTAH**

**OVERALL  
LANDSCAPE  
PLAN**

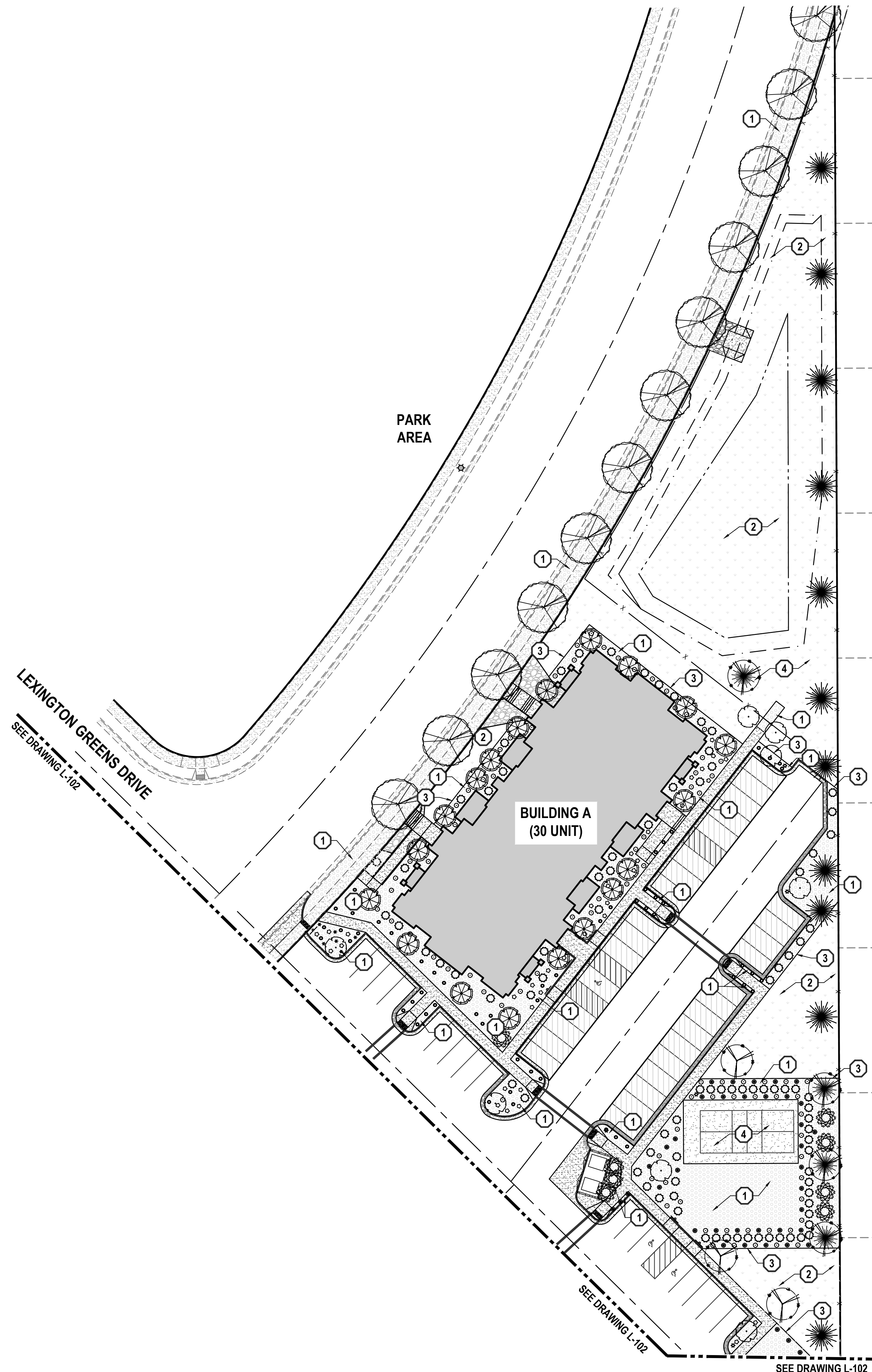
PROJECT NUMBER: 8260L  
PRINT DATE: 2022-11-21  
DRAWN BY: C. CHILD  
CHECKED BY: J. CLEGG  
PROJECT MANAGER: C. CHILD

**L-100**





**BENCHMARK**  
 EAST QUARTER CORNER OF SECTION 17,  
 TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALT  
 LAKE BASE AND MERIDIAN, (FOUND 3" BRASS  
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Trees

Qty	Symbol	Common Name	Plant Size
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Shrubs Under 4 Feet

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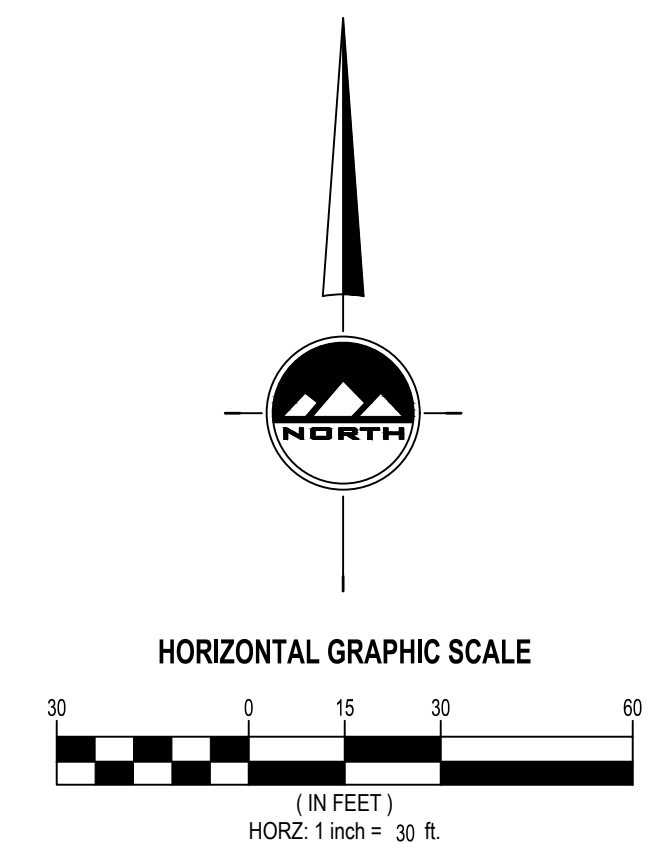
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 Tooele, UT, 84074  
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**LAYTON**  
 Phone: 801.547.1100

**CEDAR CITY**  
 Phone: 435.865.1453

**RICHFIELD**  
 Phone: 435.896.2983

**WWW.ENSIGNENG.COM**

FOR:  
 HMS DEVELOPMENT LLC  
 2750 NORTH UNIVERSITY AVENUE, SUITE 100  
 PROVO, UTAH 84604

CONTRACT:  
 MARK HORNE  
 PHONE: 801-602-6922

**SLATEWOOD APARTMENTS  
 AT OVERLAKE  
 1201 NORTH FRANKS DRIVE  
 TOOELE CITY, UTAH**

**LANDSCAPE PLAN**

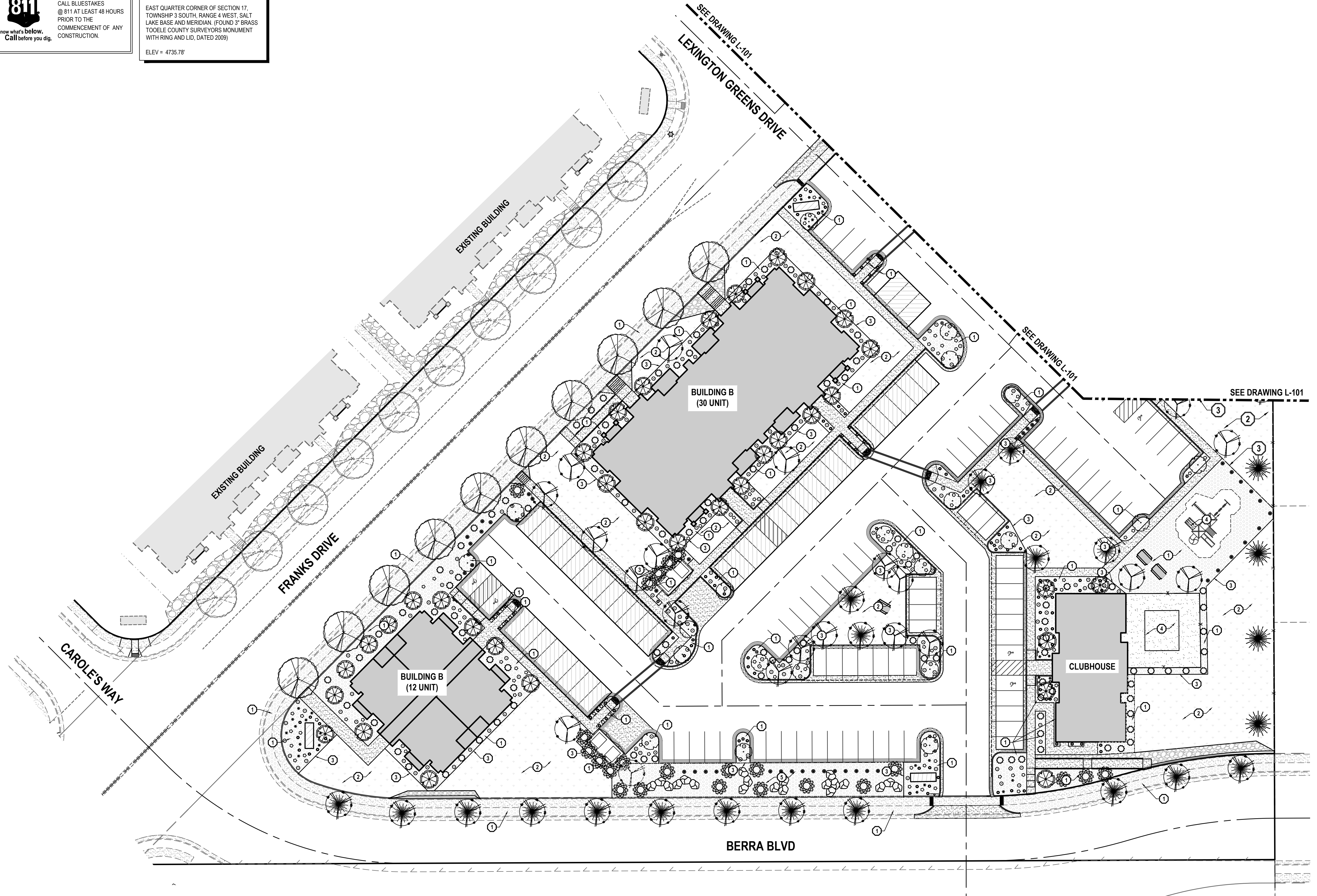
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 DRAWN BY: C. CHILD CHECKED BY: J. CLEGG  
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**L-101**



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PHONE: 801-602-6922

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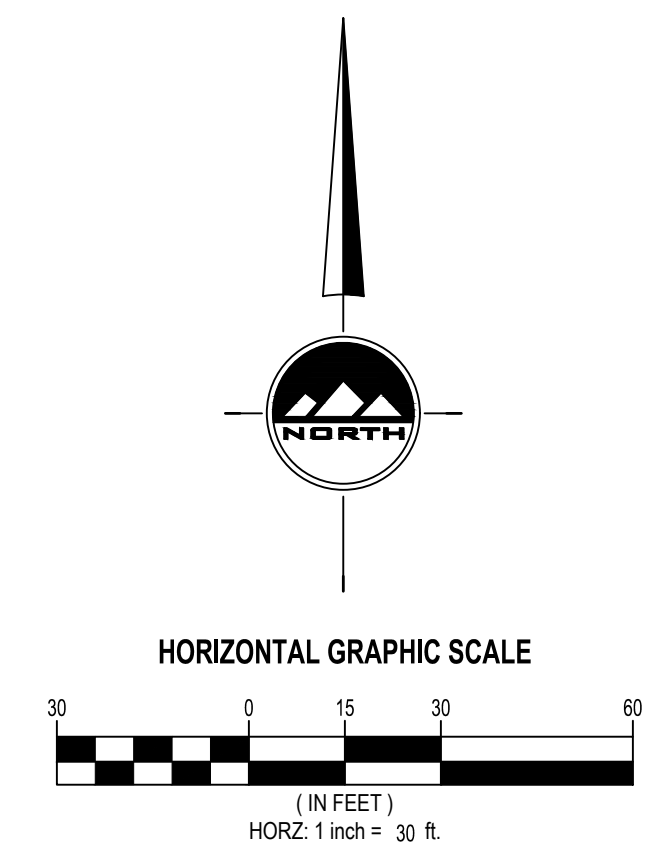
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**SLATEWOOD APARTMENTS  
AT OVERLAKE**  
1201 NORTH FRANKS DRIVE  
TOOELE CITY, UTAH



**LANDSCAPE PLAN**

PROJECT NUMBER: 8260L  
PRINT DATE: 2022-11-21

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

PROJECT MANAGER: C. CHILD

**L-102**

**MEMORANDUM**

**To:** Tooele City Planning Commission  
**From:** Jim Bolser, AICP, Director   
**Date:** December 8, 2022  
**Re:** Planning Commission Meeting Times and Dates for Calendar Year 2023

---

**Subject:**

Pursuant to Utah State Law, Tooele City Code and Charter, and the adopted bylaws of the Tooele City Planning Commission, the Commission is required to establish a calendar of meetings for each calendar year. The Planning Commission Bylaws identifies the second and fourth Wednesdays of each month as the days the Planning Commission should hold their regular meetings, although special meetings may be called as set forth therein. Following this format, the following list of dates is being proposed for adoption by the Commission to establish their meetings for calendar year 2023, with meetings being held at 7:00 p.m. in the Tooele City Council Chambers of City Hall:

January 11<sup>th</sup> and 25<sup>th</sup>  
February 8<sup>th</sup> and 22<sup>nd</sup>  
March 8<sup>th</sup> and 22<sup>nd</sup>  
April 12<sup>th</sup> and 26<sup>th</sup>  
May 10<sup>th</sup> and 24<sup>th</sup>  
June 14<sup>th</sup> and 28<sup>nd</sup>  
July 12<sup>th</sup> and 26<sup>th</sup>  
August 9<sup>th</sup> and 23<sup>th</sup>  
September 13<sup>th</sup> and 27<sup>th</sup>  
October 11<sup>th</sup> and 25<sup>th</sup>  
November 8<sup>th</sup>  
December 13<sup>th</sup>

As has been standard practice for a number of years, the Planning Commission has not held the second regular meeting for the months of November and December as those two meetings come in close proximity to the holidays observed in those months. That practice is also reflected in the above list of dates. The attached calendar, although a staff tool and not a calendar pursuant to this approval, shows the above proposed meeting dates as well as City-observed holidays to demonstrate their proximity for your information.

As always, should you have any questions or concerns please feel free to contact me at any time.



## **Pre-Development Meeting 2023 Planning Commission Assignments**

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**Tooele City Planning Commission  
Business Meeting Minutes**

**Date:** Wednesday, November 9, 2022

**Time:** 7:00 p.m.

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

**Commission Members Present:**

Tyson Hamilton  
Weston Jensen  
Melodi Gochis  
Alison Dunn  
Jon Proctor  
Melanie Hammer

**Commission Members Excused:**

Chris Sloan  
Matt Robinson

**City Council Members Present:**

Ed Hansen  
Maresa Manzione

**City Employees Present:**

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

Minutes prepared by Katherin Yei

Jim Bolser 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  
Melodi Gochis, Present  
Alison Dunn, Present  
Jon Proctor, Present  
Matt Robinson, Excused



Chris Sloan, Excused  
Paul Smith, Absent

Neither the Chair nor Vice Chair were available to conduct the meeting. The Planning Commission Bylaws have a procedure for determining and appointing a temporary Chair to conduct the meeting until the return of the Chair or Vice Chair. Mr. Bolser called for a motion to appoint a Temporary Chair.

**Commissioner Gochis motioned to appoint Tyson Hamilton as the temporary chair.**

Commissioner Jensen seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”, Commissioner Proctor, “Aye”, Commissioner Gochis, “Aye” Commissioner Hamilton, “Aye”, Commissioner Jensen, “Aye”, and Commissioner Dunn, “Aye”. The motion passed.

**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)**

Mr. Bolser addressed the Commission regarding the continuation and discussion of the Harris Community Village Apartments. There are terms in the City ordinance that the staff universally applies to multi-family residential applications. With this specific project, there are exceptions because of the nature of the facility. Staff has worked diligently with the applicant to make the provisions as close to the intent of the ordinance as possible. Staff has met with the applicant since the last meeting and they have made additional adjustments to the development that provided greater aesthetic. Staff’s position is that the application meets the intent of the City Code in every way given the specific exceptions necessary for this specific project.

Mr. Aagard presented the update site plan for the Harris Community Village. The updates include adjustment for balconies, front facade having vertical elements, window trim, and ground floor unit box windows front façade. Balconies create horizontal relief with the compromise to add larger shade awnings. The applicant has added trellis in the front facade facing the court yard. Alternative stone or stucco has been added above or below the window area. The applicant has added horizontal relief. Staff is recommending approval with the basic conditions listed in the staff report.

Planning Commission asked the following questions:

Is the plan to update and fix the current fence?

Can a condition be given to create a more stable fence?

Mr. Aagard addressed the Commissions questions. A view obstructing fence should be provided. The applicant will revise the current fence to have an obstructing view. The Planning Commission can identify an impact and add a use to mitigate that impact. The ordinance itself does not require it.

Mr. Bolser reminded the Commission that this application is a site plan review and not approval for a Conditional Use Permit. The decision to be made is on compliance with the ordinance and not identifying mitigation needed.

DeAnn Christensen addressed the Commission. They are hoping to have money left after the construction of the project, to make better improvements on the fence than just an obstructing view.

**Commissioner Hammer motioned to approve 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 based on the findings and conditions listen in the staff report.** Commissioner Proctor seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”, Commissioner Proctor, “Aye”, Commissioner Gochis, “Aye” Commissioner Hamilton, “Aye”, Commissioner Jensen, “Aye”, and Commissioner Dunn, “Aye”. The motion passed.

**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**

Mr. Aagard presented a conditional use permit for the existing property located near 7 South Main Street. It is zoned GC, General Commercial. The application is for an automobile sales and rental business. The State of Utah does require the dealership to have office space and three parking spots. As well as a Conditional Use Permit. Notices have been sent to neighboring properties within 200-feet. Staff is recommending approval with the conditions listed in the staff report.

The public hearing was opened.

Andrew Maddocks shared his business practices of the automobile sales and rental.

The public hearing was closed.

**Commissioner Jensen motioned to approve 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 based on the findings and conditions listen in the staff report.** Commissioner Dunn seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”, Commissioner Proctor, “Aye”, Commissioner Gochis, “Aye” Commissioner Hamilton, “Aye”, Commissioner Jensen, “Aye”, and Commissioner Dunn, “Aye”. The motion passed.

**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**



Mr. Aagard presented a conditional use permit for the parcel located 981 Morning Lane. The property is zoned R1-7. The application is for an at home daycare for up to 16 children and 1 additional staff. Parking plans show parents and guardians parking in the driveway when dropping or picking up children. Notices have been sent to property owners within 200-feet. Staff is recommending approval with conditions listed in staff report. They will have to abide by state laws for the daycare facility.

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

**Commissioner Dunn motioned to approve 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 based on the findings and conditions listen in the staff report.** Commissioner Proctor seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”, Commissioner Proctor, “Aye”, Commissioner Gochis, “Aye” Commissioner Hamilton, “Aye”, Commissioner Jensen, “Aye”, and Commissioner Dunn, “Aye”. The motion passed.

**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**

Mr. Aagard presented a Land Use Map amendment for the 2-acre property located near 1000 North and Franks Drive. The property is zoned MR-16, Multi-Family Residential. The property is designated as high-density residential or multi-family usage. The applicant is requesting it to be reassigned to RC, Regional Commercial zone. The applicant would like to build a Holiday Oil. Two emails have been received for public comments regarding road improvements. A traffic study is being done for this area.

The Planning Commission asked the following:

What is happening in December with a traffic study?

Is it appropriate to forward a positive recommendation without a traffic study?

Mr. Aagard addressed the Commission. A traffic study will be done in December. The difficulty is that the road is a UDOT right-of-way and the applicant or City cannot do much without approval.

Mr. Bolser addressed the Planning Commission. A design is coming for that road in December. The intersection has already been determined to meet warrants for a light. The construction of a light and some roadway improvements will come out of the coming design.

The public hearing was opened.

Howard Schmidt shared the plans and details for Holiday Oil.

The public hearing was closed.

Brent Neil shared the pre-application meeting with UDOT and the traffic study being done. The traffic study can make recommendation to UDOT, but it is ultimately up to UDOT.

**Commissioner Gochis motioned to forward a positive recommendation on a Land Use Map Amendment Request by Wag staff 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 based on the findings and conditions listed in the staff report.** Commissioner Hammer seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”, Commissioner Proctor, “Aye”, Commissioner Gochis, “Aye” Commissioner Hamilton, “Aye”, Commissioner Jensen, “Aye”, and Commissioner Dunn, “Aye”. The motion passed.

**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.**

Mr. Bolser presented a City Code text amendment regarding residential treatment facilities and programs. The land use category that is identified in the City Code as residential treatments and programs is not defined in the City Code. However, it is defined in state code. This is what the City uses as its guideline. There is a facility that would like to expand into a different location that would be located in a MU-G, Mixed Use-General zoning district. The City Code text amendment would be to establish and allow residential treatment facilities and programs facilities in this specific area.

Planning Commission had the following questions:

What density will be allowed?

Do these facilities need to be identified with signage?

Would this be considered residential or commercial?

What is the difference between MU-B and MU-G?

What regulations are required for a facility?

Mr. Bolser addressed the Commission’s questions. Mixed-Use zones have a maximum density of MR-16. They would have parking requirements they would have to meet. A Conditional Use Permit would be required to give notice to the neighborhood, but signage is optional. The base line would be considered commercial, but would have to be reviewed as commercial and residential. The Commission would see a Conditional Use Permit and possibly a site plan review. The only difference between MU-B and MU-G is the geography. It is not uncommon to see similar zones. What is required would be based on the application and the needs of the facility type.

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



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

### **8. City Council Reports**

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

The Tooele City business park owned by RDA will be a possible rezone for the entire property. The improvements to 50 west and Garden Street are being reviewed.

### **9. Planning Commission Training on Parks and Recreation Planning**

Mr. Cook presented training on Parks and Recreation planning.

### **10. Review and Approval of Planning Commission Minutes for the Business Meeting Held on October 26, 2022.**

There are no changes.

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

### **11. Adjourn**

**Commissioner Hamilton adjourned the meeting at 8:37 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