

PUBLIC NOTICE

Notice is hereby given that the Tooele City Council and the Redevelopment Agency (RDA) of Tooele City will meet in a Work Meeting, on Wednesday, November 6, 2024, at 5:30 p.m. The meeting will be held in the Tooele City Hall Council Chambers, located at 90 North Main Street, Tooele, Utah. The complete public notice is posted on the Utah Public Notice Website www.utah.gov, the Tooele City Website www.tooelecity.gov, and at Tooele City Hall. To request a copy of the public notice or for additional inquiries please contact Michelle Pitt, City Recorder at (435)843-2111 or michellep@tooelecity.gov.

We encourage you to join the City Council meeting electronically by visiting the **Tooele City YouTube Channel**, at <https://www.youtube.com/@tooelecity> or by going to YouTube.com and searching "Tooele City Channel".

AGENDA

1. **Open City Council Meeting**
2. **Roll Call**
3. **Mayor's Report**
4. **Council Members' Report**
5. **Discussion Items**
 - a. **Desert Rose Business Lofts Zoning Map Amendment** Request by Amy Johnson to Rezone 4.9 Acres Located at Approximately 105 East 1000 North from RR-1 Residential to MU-G Mixed Use General
Presented by Andrew Aagard, Community Development Director
 - b. **Mountain View Annexation Petition** Request by Jason Harris of JRG Development LLC to Annex Approximately 40 Acres Located at Approximately 1400 East Smelter Road into Tooele City
Presented by Andrew Aagard, Community Development Director
6. **Closed Meeting**
~ Litigation, Property Acquisition, and/or Personnel
7. **Adjourn**

Michelle Y. Pitt, Tooele City Recorder

Pursuant to the Americans with Disabilities Act, individuals needing special accommodations should notify Michelle Y. Pitt, Tooele City Recorder, at 435-843-2111 or Michellep@Tooelecity.gov, prior to the meeting.

MEMORANDUM

To: Tooele City Council
Cc: Mayor Debbie Winn
From: Andrew Aagard, AICP, Director
Date: October 30, 2024
Re: Desert Rose Business Lofts Zoning Map Amendment

On September 18, 2024 the Tooele City Council approved a Land Use Map Amendment for this property re-assigning the land use from Regional Commercial (RC) to Mixed Use (MU). The applicant was requesting the change in land use to facilitate the eventual construction of a mixed use development project that provides opportunities for the owners to live and work in the same structure. Namely, town homes where the upper floors are residential and the ground floor is a commercial space for various office, cosmetology, artisan and other low intensity style commercial uses.

During the Land Use Map amendment process the zoning that would be needed to facilitate such a mixed use development project was discussed at length. Questions were raised as to the effectiveness of the MU-G zoning district in regulating a truly mixed use development. Is the language in the MU-G zoning district sufficient for a use that is truly unique to Tooele City? Does the City need to write a new mixed use code for uses of this type? Should we just amend the MU-G zoning code to accommodate? These and other such questions were discussed at length.

The applicant has recently submitted a Zoning Map Amendment application and requested that it be taken through the review process. The first stop for such a review is with the City Council to apprise the Council of the request and to obtain their initial feedback prior to moving the application into and through the public process.

The applicant has not clearly specified which zoning district they wish to pursue, however, the only available zoning district that is a candidate for this property in this geographic location is the MU-G Mixed Use General zone. The MU-G zone does permit structures where the upper floors are residential and the ground floors are commercial, however, the MU-G zone does not provide any other information in regards to the regulations of this type of use. Issues such as customer parking are not addressed in the MU-G zone or in the City's parking ordinances where mixed use development is proposed. Architecture is not addressed. Emergency vehicle accesses are not addressed.

Another issue that is not addressed in the MU-G zoning code is how does the City ensure that the mixed use town homes truly remain mixed use. What can the City do to prevent these town homes from becoming entirely residential if the occupant decides they don't want to have a commercial space in the ground floor of the unit? This and many other issues unique to this type of development are not addressed clearly in the MU-G zoning code.

There are many ways the City can approach this Zoning Map Amendment request. One way would be to change the zoning to the MU-G zoning district and leave the applicant and staff to work through the details including, but not limited to, any potential text amendments to the MU-G zoning district to help regulate and facilitate this mixed use development. Another way would be to write a new zoning code for this type of mixed use development. The applicant and staff could work together to write a new code after researching how other cities that do have this type of use have structured their own codes.

Is a mixed use development of the type being requested appropriate for this location? That is an interesting question. Having a place where small business owners can both live and work is a use that is not readily available in Tooele City. It does not exist. This use would be pioneering a missing niche in housing in Tooele City. This particular location is sandwiched between an existing multi-tenant commercial building and some existing residential uses to the east and the new Tooele City Fire Station #3. To the north is light industrial and to the south is a commercial daycare and banking institution.

Access into the site is limited as there are plans to construct a median extending from the intersection of 1000 North and Main Street (SR-36) to the 1000 North 100 East intersection. Access into this site would be right in – right out only. When considering access limitations such as these a commercial / residential arrangement may be more appropriate than a full commercial use in that these smaller type commercial uses may not require high visibility to passing traffic in order to thrive. These would be considered “destination” type commercial uses where individuals who frequent these businesses would research their location before arriving.

As always, in any Zoning Map Amendment request the City Council needs to consider that when a property is rezoned to a specific zoning district that that property is then entitled to every land use that is permitted in the newly assigned zoning district. Meaning, if the MU-G zoning district is approved for this property, every land use permitted in the MU-G zone could occur on this property. The MU-G zoning district is a very liberal zone permitting a wide range of commercial and office uses as well as permitting EVERY type of residential use.

Staff also suggests that the City Council take its time in considering this Zoning Map amendment. A decision does not need to be made at the first business meeting. This item may be tabled or continued as the City Council sees fit pending additional information from the applicant or staff to help the City Council better make its decision. Staff is available to provide the City Council with whatever information it needs in considering the appropriate zoning for this property. Staff strongly emphasizes that the City Council take its time in considering this zoning as this is a land use that is entirely new and unique to Tooele City. The proposal has tremendous potential benefits but it could also result in tremendous pitfalls. Let's take our time with this one.

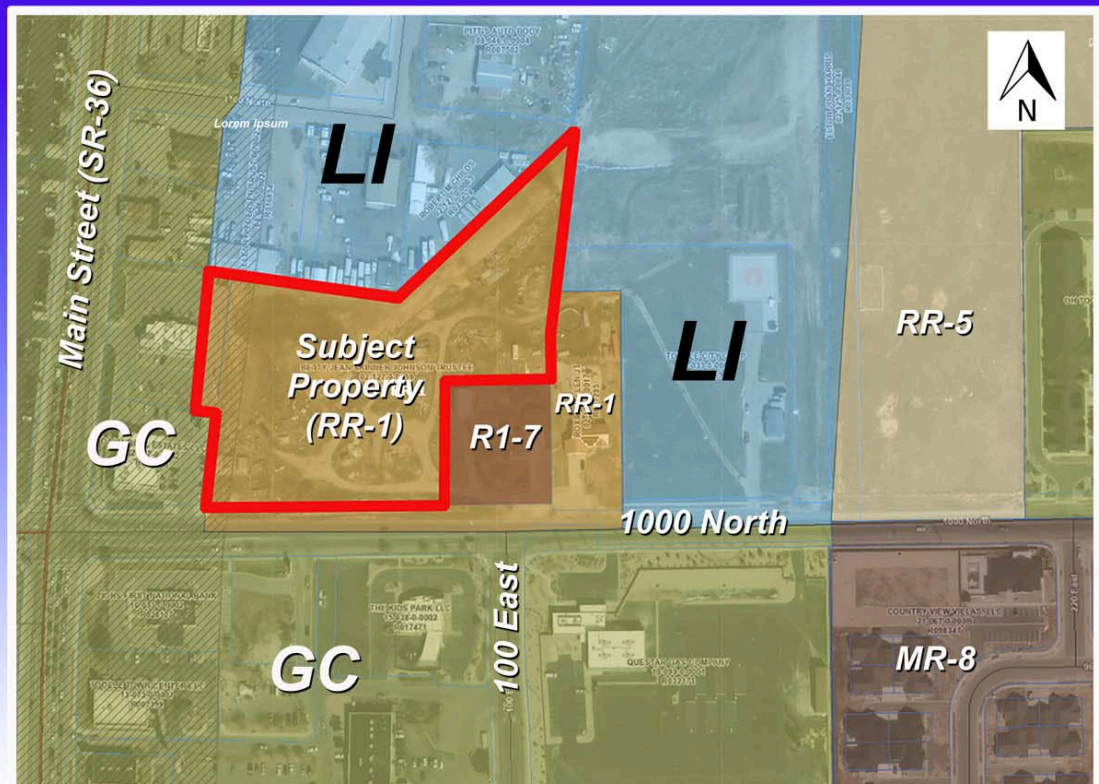
**Desert
Rose
Business
Lofts
ZMA**

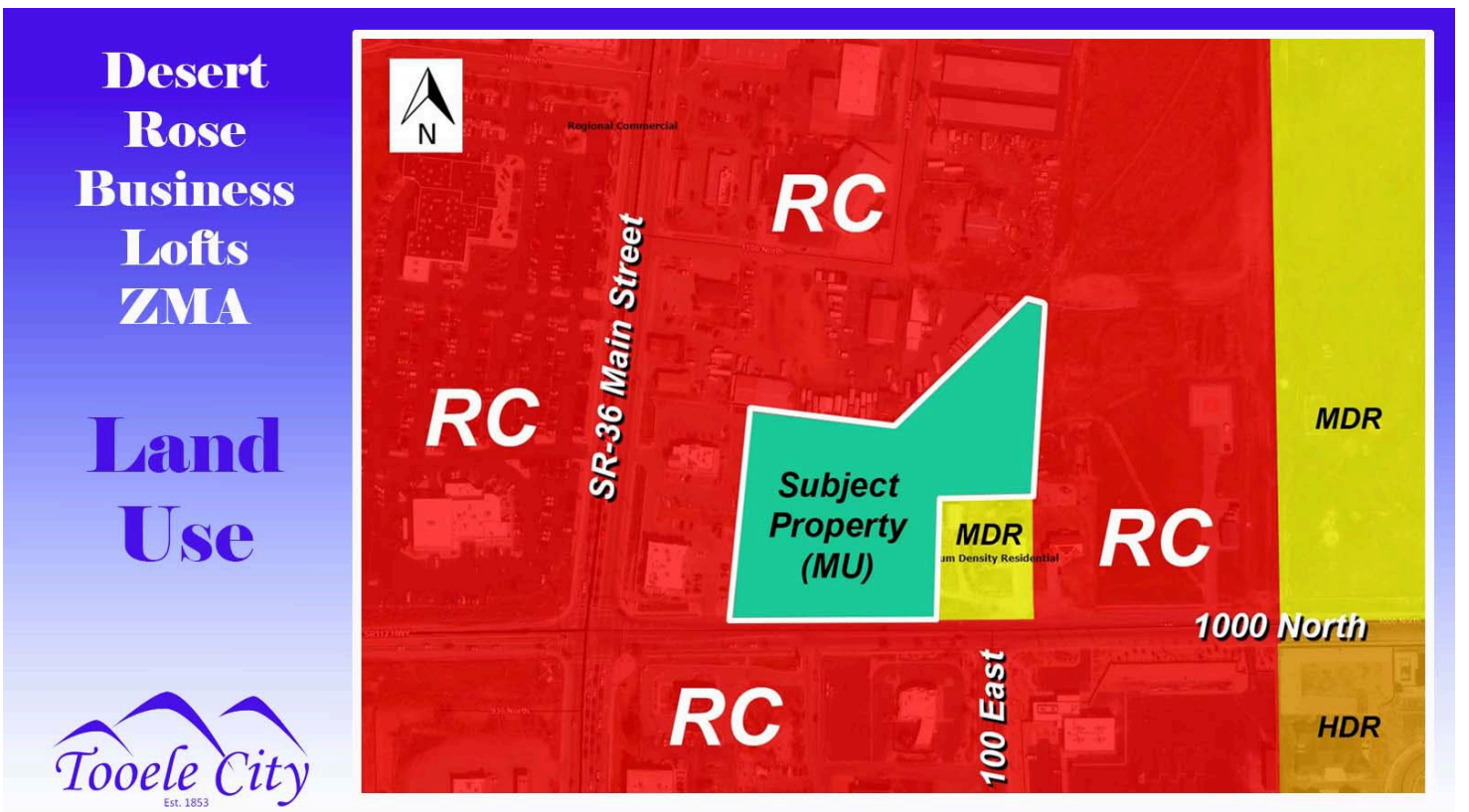
**Aerial
View**



**Desert
Rose
Business
Lofts
ZMA**

**Current
Zoning**

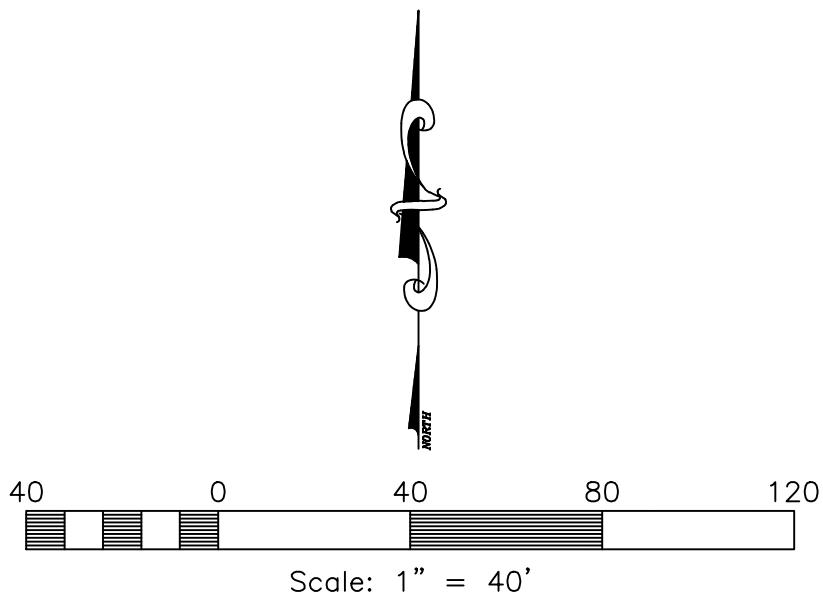




**Desert
Rose
Business
Lofts
ZMA**

Concept Plan





Skinner Johnson Property

Tooele City, Tooele County, Utah

Developer:
Y Street Capital Management, LP
24 E Main Street
American Fork, UT 84003
(801) 309-6485

Reeve & Associates, Inc.
5160 SOUTH 1500 WEST RIVERDALE, UTAH 84405
TEL: (801) 821-3100 FAX: (801) 821-2668 www.reeve.co
LAND PLANNERS • CIVIL ENGINEERS • LAND SURVEYORS
TRAFFIC ENGINEERS • STRUCTURAL ENGINEERS • LANDSCAPE ARCHITECTS

REVISIONS	DESCRIPTION
DATE	

Skinner Johnson Property
PART OF THE SE 1/4 OF SECTION 16 T.35, R.6W, S.L.B. & M., U.S. SURVEY
TOOELE CITY, TOOELE COUNTY, UTAH

Concept Plan

Project Info.	
Engineer:	N. Reeve
Planner:	C. Cave
Designer:	
Date:	7-9-2024
Name:	XXXXXXXX
Number:	8379-01

Sheet	1
1	Sheets

Zoning Map

1. Present zoning: R-1
2. The proposed zoning change from R-1 to mixed-use is consistent with the current land use designation because the surrounding and bordering areas are already designated for commercial use. This alignment supports a seamless transition and integration of mixed-use development within the existing commercial context, promoting a cohesive and efficient land use strategy that enhances the overall functionality and appeal of the area. The mixed-use zoning will allow for a combination of residential and commercial activities, which is compatible with and complementary to the neighboring commercial zones.
3. The proposed zoning change to mixed-use is compatible with the current zoning in the surrounding area, which predominantly consists of commercial use. Mixed-use zoning allows for a blend of residential and commercial activities, aligning well with the existing commercial zones. This compatibility ensures that the new zoning will integrate smoothly with the surrounding area, fostering a dynamic and diverse community that supports both living and business needs. The transition to mixed-use will enhance the area's vitality and economic potential while maintaining the commercial character of the neighborhood.
4. The proposed zoning to mixed-use is highly suitable for the existing uses of the subject property. The land is already annexed into the city and is part of the commercial plan, aligning it with the broader development strategy. We have identified a higher need for a unit type that serves both commercial and residential purposes. The planned townhouses will feature a commercial office in the front, with a townhouse and garage attached in the back, thereby efficiently utilizing the space to meet both commercial and residential needs. This mixed-use approach enhances the functionality of the property and maximizes its potential, making it a fitting choice given its existing commercial designation.
5. The proposed zoning change to mixed-use aligns with Tooele City's goals and objectives by fostering sustainable growth, enhancing community development, and supporting economic development. This zoning will promote strong, vibrant neighborhoods by integrating residential and commercial spaces, encouraging positive and orderly growth within the existing commercial plan. The mixed-use development will maintain a high quality of life for residents by providing efficient use of space and resources, supporting local businesses, and attracting new investments, thereby contributing to the city's overall economic vitality and infrastructure needs.

MEMORANDUM

To: Tooele City Council
Cc: Mayor Debbie Winn
From: Andrew Aagard, AICP, Director
Date: October 30, 2024
Re: Mountain View Annexation Petition

On October 28, 2024 Jason Harris of JRG Development LLC submitted an annexation petition proposing to annex approximately 40 acres located at approximately 1400 East Smelter Road. The property is located directly east of the Golf Course View Subdivision and the Oquirrh Hills Golf Course.

The 40 acre parcel is within Area “C” of Tooele City’s Annexation Policy Plan which enables the City Council to begin considerations to annex the subject property into the City’s incorporated limits. However, the Annexation Policy Plan is a guiding document required by Utah State law but does not obligate the City Council to annex the property.

The annexation procedure is quite lengthy and involves various agencies and divisions throughout the City. However, before the City can take any official action on the item the petitioner must first complete Steps 2 and 3 which requires the petitioner to send a notice of intent to annex to affected entities and request the County to mail those notices. The petitioner must also send notices of intent to annex to all property owners within 300 feet of the annexation area. At the time this memo was written the petitioner has not submitted any evidence that these notices have been sent. Until evidence that this has occurred this petition will not move forward for any official action.

The petition request has been placed on the City Council’s work session agenda to apprise them of the request and that it will be coming in the future for their consideration.

The concept as provided at this time shows that the applicant intends to annex the property in order to facilitate the construction of a new single-family residential subdivision consisting of 78 lots ranging in size from 17,600 square feet up to 23,600 square feet. The development is proposed to have two accesses onto Smelter Road.

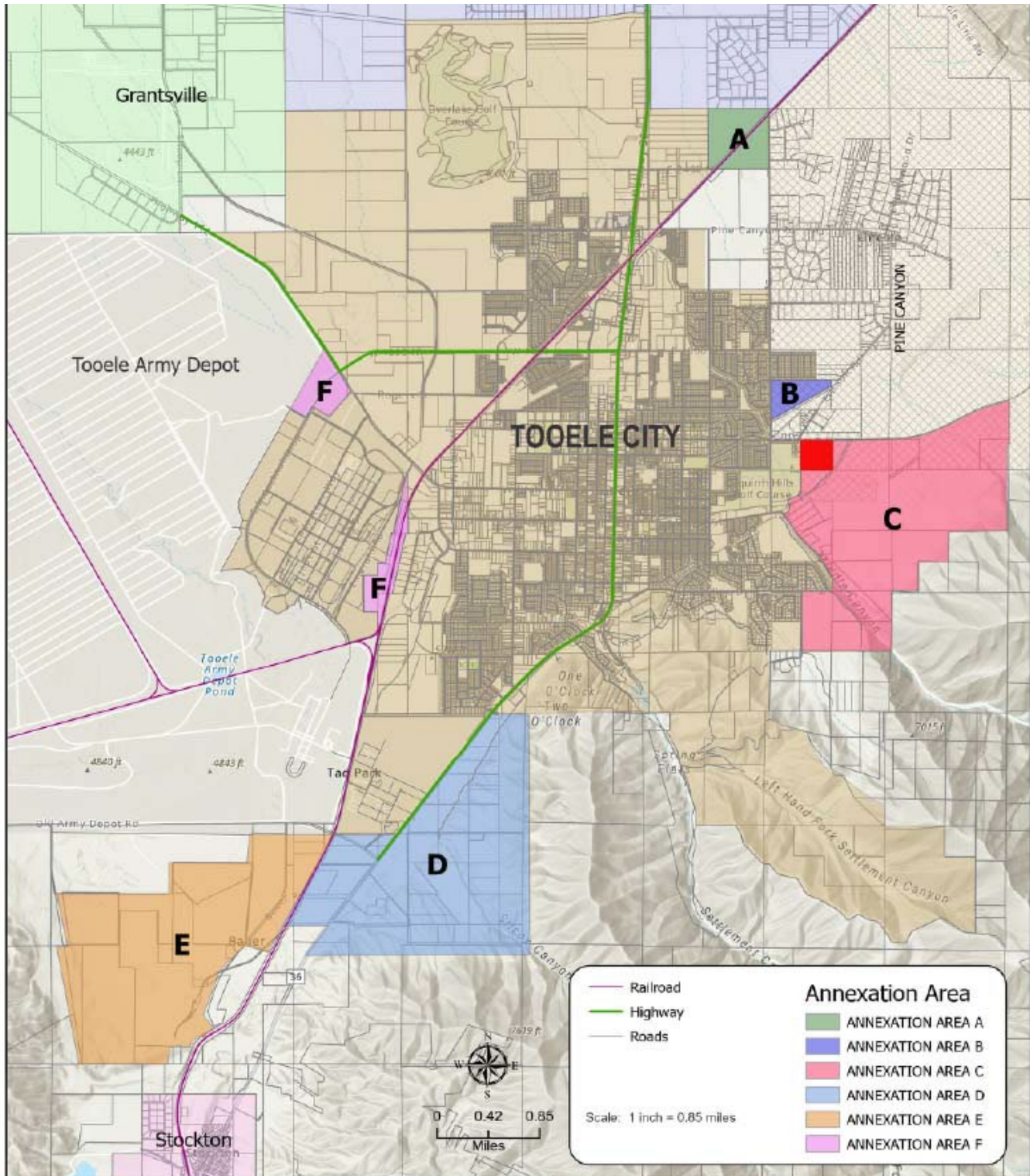
The petition application also includes an annexation report prepared by Ensign Engineering that provides information on existing drainage conditions, proposed drainage conditions as well as some sewer and water information. A traffic study has also been provided that addresses impact on traffic conditions resulting from the proposed annexation.

Other studies appear not have been provided yet. There are not any studies with information regarding public safety impacts, parks impacts, nor have any models regarding water and sewer systems been provided.

Annexations are entirely a legislative matter and the decision rests squarely upon the shoulders of the City Council. Annexation decisions are not required to be made quickly and staff encourages that the City Council take its time in moving this annexation petition through the process, request any information of the petitioner that the Council needs to make a decision and ultimately act in the best interest of the City and its existing residents.

It should also be noted and emphasized that there are currently thousands of acres located within Tooele City that are yet to be developed, already entitled by zoning to development, if they have the necessary resources such as water.





**APPENDIX A
TOOELE CITY GENERAL PLAN
ANNEXATION POLICY PLAN**

DRAFTED JANUARY 19, 2024

811

Know what's below.
Call before you dig.

CALL BLUESTAKES

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

10/17/24, 12:36 PM

Precipitation Frequency Data Server

NOAA Atlas 14, Volume 1, Version 5

Location name: Tooele, Utah, USA*

Latitude: 40.5391°, Longitude: -112.2669°

Elevation: m/ft*

source: ESRI Maps

** source: USGS

POINT PRECIPITATION FREQUENCY ESTIMATES

Sanje Perera, Sarah Dietz, Sarah Heim, Lillian Hiner, Kazungu Malatira, Deborah Martin, Sandra Pavlovic, Ishani Roy, Carl Trypanuk, Dale Unruh, Fenglin Yan, Michael Yekta, Tan Zhao, Geoffrey Borm, Daniel Brewer, Li-Chuan Chen, Yui Petrovsk, John Yachson

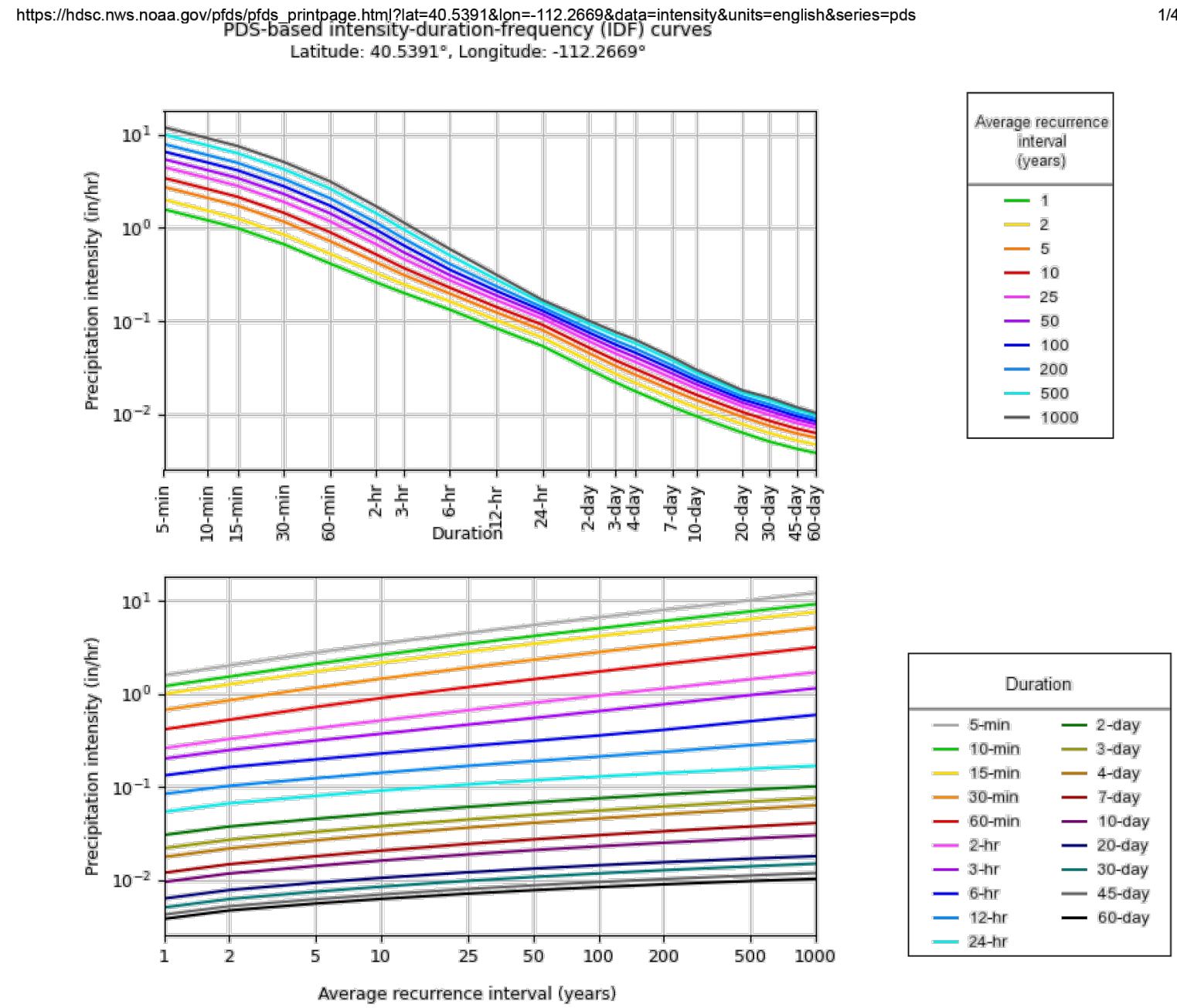
NOAA, National Weather Service, Silver Spring, Maryland

PF_tabular | PF_graphical | Maps_&_aerials

PDS-based point precipitation frequency estimates with 90% confidence intervals (in inches/hour) ¹										
Duration	Average recurrence interval (years)									
	1	2	5	10	25	50	100	200	500	1000
5-min	1.58 (1.36-1.82)	2.02 (1.78-2.33)	2.76 (2.41-3.19)	3.44 (2.98-3.98)	4.50 (3.89-5.24)	5.47 (4.59-6.43)	6.61 (5.28-7.87)	7.96 (6.12-9.54)	10.1 (7.38-12.5)	12.1 (8.44-15.3)
10-min	1.21 (1.05-1.39)	1.53 (1.34-1.77)	2.10 (1.83-2.43)	2.62 (2.28-3.03)	3.43 (2.89-4.00)	4.16 (3.43-4.90)	5.03 (4.02-5.99)	6.05 (4.66-7.33)	7.68 (5.62-9.53)	9.18 (6.42-11.6)
15-min	0.996 (0.869-1.15)	1.26 (1.11-1.46)	1.74 (1.51-2.01)	2.16 (1.86-2.50)	2.83 (2.38-3.30)	3.44 (2.83-4.05)	4.16 (3.32-4.95)	5.00 (3.85-6.06)	6.34 (4.64-7.87)	7.58 (5.31-9.62)
30-min	0.670 (0.584-0.774)	0.852 (0.748-0.986)	1.17 (1.02-1.35)	1.45 (1.25-1.69)	1.91 (1.61-2.22)	2.32 (1.91-2.73)	2.80 (2.24-3.33)	3.37 (2.59-4.08)	4.27 (3.13-5.30)	5.11 (3.57-6.47)
60-min	0.415 (0.362-0.479)	0.527 (0.463-0.610)	0.723 (0.631-0.836)	0.900 (0.776-1.04)	1.18 (0.995-1.38)	1.43 (1.18-1.69)	1.73 (1.39-2.06)	2.08 (1.60-2.52)	2.64 (1.93-3.28)	3.16 (2.21-4.01)
2-hr	0.260 (0.235-0.294)	0.327 (0.294-0.370)	0.427 (0.381-0.482)	0.518 (0.458-0.587)	0.666 (0.576-0.759)	0.800 (0.676-0.919)	0.956 (0.794-1.11)	1.14 (0.901-1.35)	1.43 (1.08-1.75)	1.70 (1.22-2.12)
3-hr	0.201 (0.183-0.224)	0.249 (0.227-0.277)	0.314 (0.285-0.348)	0.372 (0.335-0.415)	0.466 (0.412-0.522)	0.550 (0.475-0.621)	0.652 (0.549-0.746)	0.772 (0.633-0.910)	0.968 (0.759-1.18)	1.15 (0.864-1.43)
6-hr	0.132 (0.123-0.144)	0.163 (0.151-0.177)	0.197 (0.182-0.215)	0.228 (0.210-0.249)	0.274 (0.248-0.300)	0.312 (0.278-0.344)	0.358 (0.313-0.398)	0.410 (0.353-0.465)	0.508 (0.424-0.594)	0.594 (0.483-0.723)
12-hr	0.084 (0.077-0.091)	0.102 (0.095-0.112)	0.124 (0.114-0.135)	0.142 (0.130-0.155)	0.168 (0.153-0.185)	0.189 (0.170-0.209)	0.212 (0.187-0.237)	0.238 (0.206-0.269)	0.281 (0.237-0.325)	0.316 (0.261-0.371)
24-hr	0.054 (0.050-0.058)	0.066 (0.061-0.072)	0.080 (0.074-0.086)	0.091 (0.084-0.098)	0.108 (0.098-0.114)	0.117 (0.108-0.127)	0.129 (0.118-0.140)	0.141 (0.129-0.153)	0.156 (0.141-0.170)	0.168 (0.151-0.188)
2-day	0.030 (0.028-0.033)	0.037 (0.034-0.040)	0.045 (0.042-0.049)	0.052 (0.048-0.056)	0.061 (0.056-0.066)	0.068 (0.062-0.074)	0.075 (0.068-0.082)	0.083 (0.075-0.090)	0.093 (0.083-0.102)	0.101 (0.089-0.111)
3-day	0.022 (0.020-0.023)	0.027 (0.025-0.029)	0.033 (0.030-0.035)	0.037 (0.034-0.041)	0.044 (0.041-0.048)	0.050 (0.045-0.054)	0.055 (0.050-0.060)	0.061 (0.055-0.067)	0.069 (0.062-0.076)	0.076 (0.067-0.084)
4-day	0.017 (0.016-0.019)	0.021 (0.020-0.023)	0.026 (0.024-0.029)	0.030 (0.028-0.033)	0.036 (0.033-0.039)	0.041 (0.037-0.044)	0.046 (0.041-0.050)	0.051 (0.046-0.055)	0.058 (0.051-0.063)	0.063 (0.056-0.070)
7-day	0.012 (0.011-0.013)	0.014 (0.013-0.016)	0.016 (0.014-0.019)	0.020 (0.019-0.022)	0.024 (0.022-0.026)	0.027 (0.025-0.029)	0.030 (0.027-0.033)	0.033 (0.030-0.036)	0.037 (0.033-0.041)	0.041 (0.036-0.045)
10-day	0.009 (0.008-0.010)	0.011 (0.010-0.012)	0.014 (0.013-0.015)	0.016 (0.015-0.017)	0.018 (0.017-0.020)	0.021 (0.019-0.022)	0.023 (0.021-0.025)	0.025 (0.022-0.027)	0.028 (0.025-0.030)	0.030 (0.027-0.033)
20-day	0.006 (0.005-0.006)	0.007 (0.007-0.008)	0.009 (0.008-0.010)	0.010 (0.009-0.011)	0.012 (0.011-0.013)	0.013 (0.012-0.014)	0.014 (0.013-0.015)	0.015 (0.014-0.016)	0.017 (0.015-0.019)	0.018 (0.016-0.019)
30-day	0.005 (0.004-0.005)	0.006 (0.005-0.006)	0.007 (0.007-0.008)	0.008 (0.007-0.009)	0.009 (0.008-0.010)	0.010 (0.010-0.011)	0.011 (0.010-0.012)	0.012 (0.011-0.013)	0.014 (0.012-0.015)	0.015 (0.013-0.016)
45-day	0.004 (0.004-0.004)	0.005 (0.004-0.005)	0.006 (0.005-0.006)	0.007 (0.006-0.007)	0.008 (0.008-0.009)	0.009 (0.008-0.010)	0.009 (0.009-0.011)	0.010 (0.010-0.012)	0.011 (0.010-0.012)	0.011 (0.010-0.012)
60-day	0.003 (0.003-0.004)	0.004 (0.004-0.005)	0.005 (0.005-0.006)	0.006 (0.006-0.007)	0.007 (0.007-0.008)	0.008 (0.008-0.009)	0.009 (0.008-0.010)	0.010 (0.009-0.011)	0.010 (0.009-0.011)	0.010 (0.009-0.011)
¹ Precipitation frequency (PF) estimates in this table are based on frequency analysis of partial duration series (PDS). Numbers in parenthesis are PF estimates at lower and upper bounds of the 90% confidence interval. The probability that precipitation frequency estimates for a given duration and average recurrence interval will be greater than the upper bound (or less than the lower bound) is 5%. Estimates at upper bounds are not checked against probable maximum precipitation (PMP) estimates and may be higher than currently valid PMP values. Please refer to NOAA Atlas 14 document for more information.										

PF graphical

10/17/24, 12:36 PM



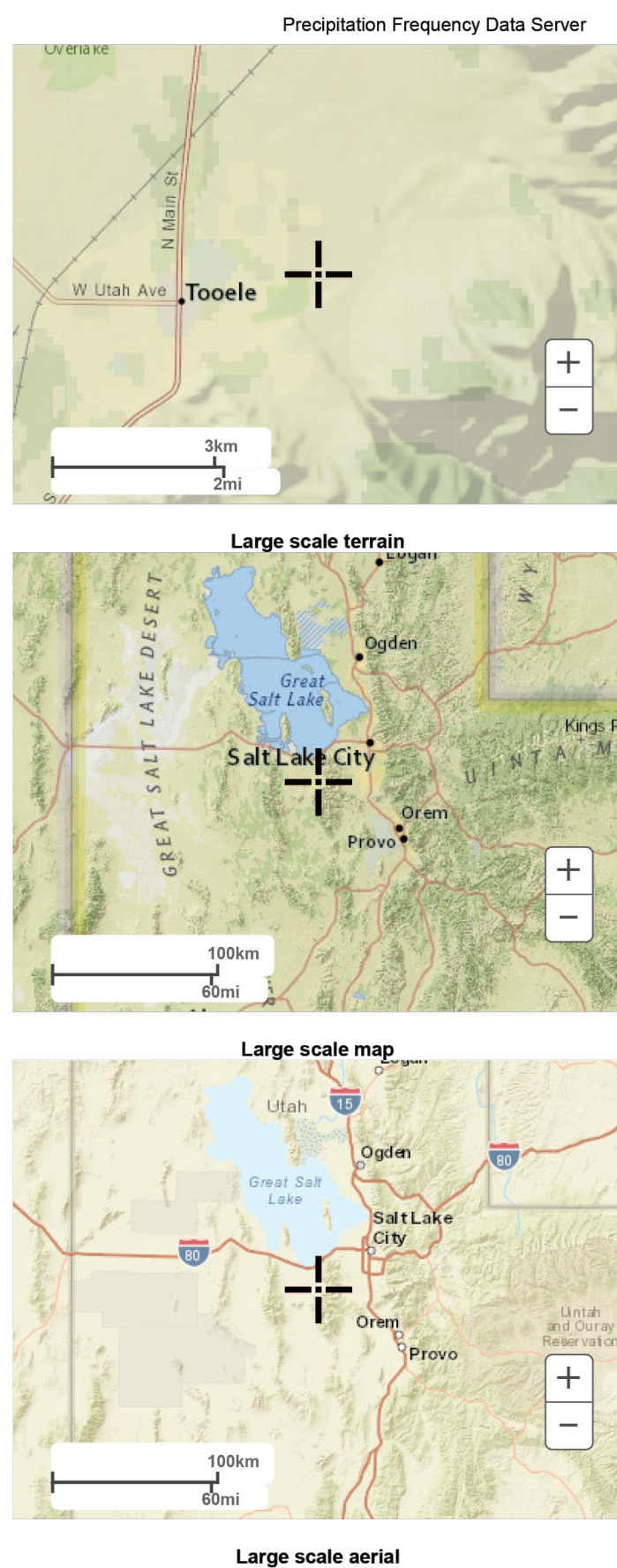
NOAA Atlas 14, Volume 1, Version 5

Created (GMT): Thu Oct 17 18:36:30 2024

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Maps & aerials

Small scale terrain



2/4

https://hdsc.mws.noaa.gov/pfds/pfds_printpage.html?lat=40.5391&lon=-112.2669&data=intensity&units=english&series=pdfs

Project: Harris Concept

By: Donald Geverts

Date: 2024-10-23

Project No.: 13239

Checked By: J. Clegg

RETENTION CALCULATION

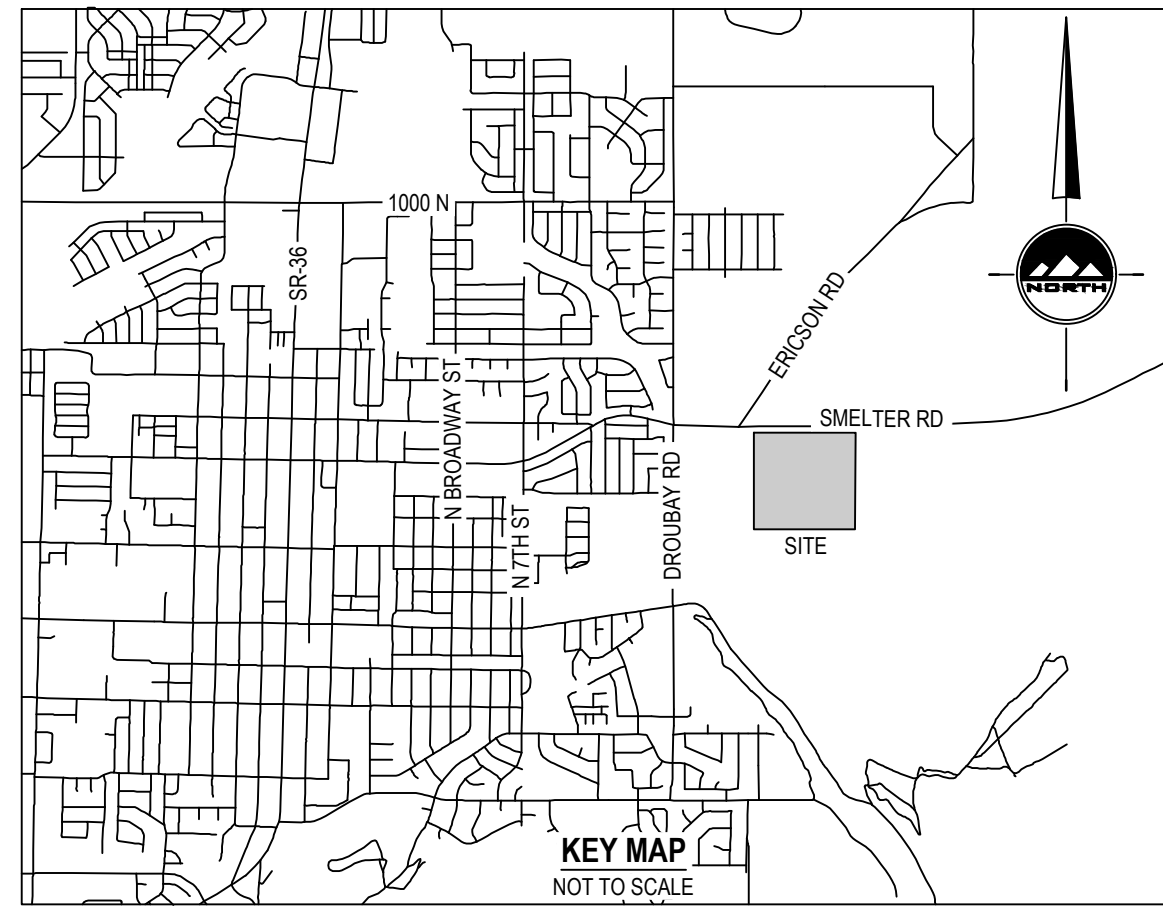
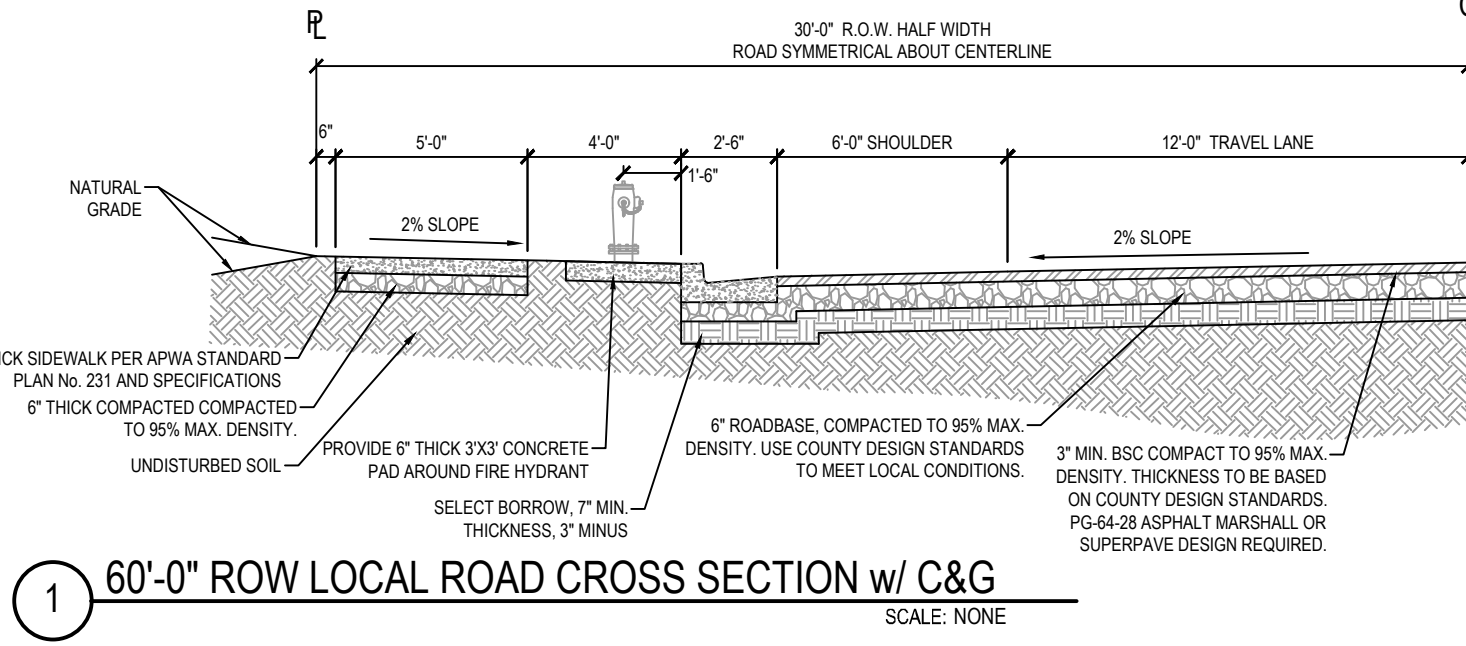
AREA CALCULATION

Hardscape Area:	12.32 acres	Runoff Coeff. C :	0.80
Landscape/Native Area:	12.58 acres	Runoff Coeff. C :	0.20
Total Area:	24.90 acres	Weighted C :	0.55

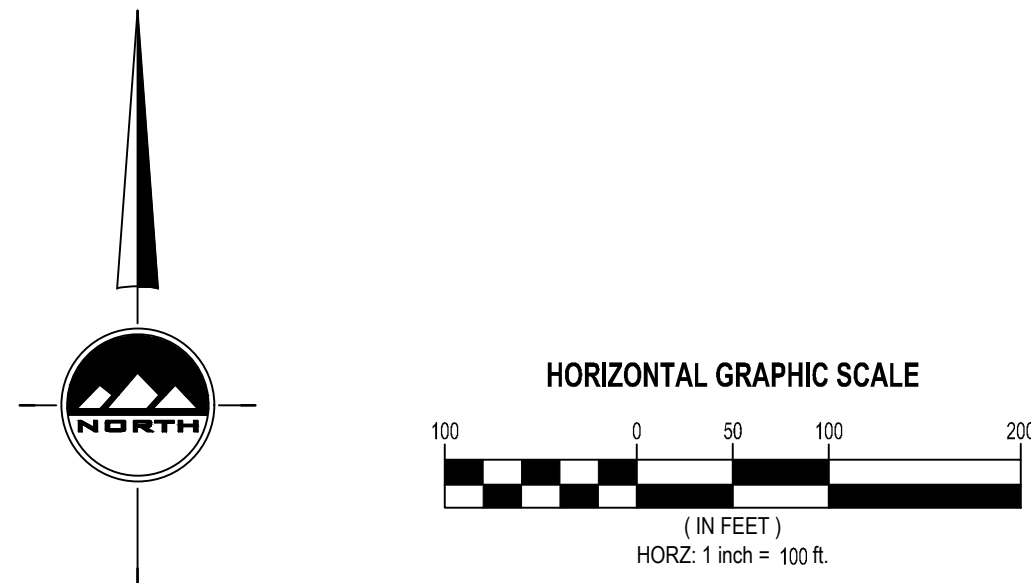
RUNOFF CALCULATION

100 Year Design Storm

		Infiltration rate	0 in/hr
		Total Infiltration Area	10000 ft ²
		Total Infiltration / Allowable Runoff	0.000 cfs
Time (min)	CA (Acres)	Precipitation (in/hr)	Time (sec)
5	13.60	6.61	300
10	13.60	5.03	600
15	13.60	4.16	900
30	13.60	2.80	1800
60	13.60	1.73	3600
120	13.60	0.96	7200
180	13.60	0.65	10800
360	13.60	0.36	21600
720	13.60	0.21	43200
1440	13.60	0.13	86400
		Cumulative Runoff (ft ³)	Allowed Runoff (ft ³)
		Storage (ft ³)	
		Storage Required:	152,800
		Storage Provided:	153,348



AREA CALCULATIONS TABLE			
DESCRIPTION	AREA PROPOSED (sq. ft.)	AREA PROPOSED (acres)	PERCENTAGE PROPOSED
(78) 0.4 (MINIMUM) ACRE LOTS	1,414,921 sq. ft.	32.482 acres	81.20%
POND AREA	37,245 sq. ft.	0.855028	2.14%
ROAD DEDICATION	290,244 sq. ft.	6.663 acres	16.66%
TOTAL SITE	1,742,410 sq. ft.	40.000 acres	100.00%



ENSGN

THE STANDARD IN ENGINEERING

TOOELE

169 N. Main St, Unit 1

Tooele, UT 84074

Phone: 435.843.3590

SANDY

Phone: 801.255.0529

LAYTON

Phone: 801.547.1100

CEDAR CITY

Phone: 435.865.1453

RICHFIELD

Phone: 435.896.2983

WWW.ENSGNENG.COM

FOR: CLIENT
CLIENT'S ADDRESS
CLIENT CITY STATE ZIP
CONTACT: JASON HARRIS
PHONE: 435-241-0265

MOUNTAIN VIEW SUBDIVISION
LINCOLN, UTAH

CONCEPT
0.4 ACRE LOTS

PROJECT NUMBER
13239
DESIGNED BY
J. CLEGG
PRINT DATE
2024-10-25
DESIGNED BY
D. GEVERTS

C-1