

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN THAT the Tooele City Planning Commission will meet in a business meeting scheduled for **Wednesday, August 14, 2024** at the hour of 7:00 p.m. The meeting will be held in the City Council Chambers of Tooele City Hall, located at 90 North Main Street, Tooele, Utah.

We encourage anyone interested to join the Planning Commission meeting electronically through Tooele City's YouTube channel by logging onto www.youtube.com/@tooelecitey or searching for our YouTube handle **@tooelecitey**. If you would like to submit a comment for any public hearing item you may email pcpubliccomment@tooelecitey.gov any time 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** – Application #2024-032, a request by Cynthia Williams, Cynthia's Daycare for Conditional Use approval to allow an in-home childcare business for between eight and sixteen children on property located at 301 E. 500 North in the R1-7, Residential Single-Family zoning district.

Public Hearing and Decision – Application #2024-035, a request by Alyssa Fairbourn, Early Explorers Daycare for Conditional Use Approval to allow an in-home childcare business for between eight and sixteen children on the property at 358 N. 200 West in the R1-7, Residential Single-Family zoning district.
4. **Review and Decision** – Resolution 2024-02, designating the Coleman Home, located at 461 S. Coleman Street, as a Historic Resource Landmark. *John Perez, Economic Development Director presenting*
5. **Review and Decision** – Resolution 2024-03, designating the Ritz Theater, located at 111 N. Main Street, as a Historic Resource Landmark. *John Perez, Economic Development Director presenting*
6. **City Council Reports**
7. **Review and Approval** – Planning Commission Minutes for the meeting held on July 10, 2024.
8. **Adjourn**

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

STAFF REPORT

August 9, 2024

To: Tooele City Planning Commission
Business Date: August 14, 2024

From: Planning Division
Community Development Department

Prepared By: Jared Hall, City Planner / Zoning Administrator

Re: Cynthia's Daycare – Conditional Use Permit Request, In-Home Childcare

Application No.: 2024-032
Applicant: Cynthia Williams
Project Location: 301 E. 500 North
Zoning: R1-7, Residential
Acreage: .96 acres
Request: Conditional Use Permit approval to allow in-home childcare for 8-16 children

BACKGROUND

The subject property is a single-family residence located in the R1-7 zoning district on a .96-acre lot. The applicant wishes to operate an in-home daycare for between 8 and 16 children. In-home daycare is allowed in the R1-7 Zone as a home occupation, but requires Conditional Use Permit approval by the Planning Commission for any more than seven children.

ANALYSIS

General Plan and Zoning. The subject property is located in the R1-7, Single-Family Residential zoning district. "Home Occupation Day Care / Preschool" is an allowable use in the R1-7 Zone, but requires Conditional Use Approval when 8-16 children are involved. The stated purpose of the R1-7 zoning district is "to provide a range of housing choices to meet the needs of Tooele City residents, to offer a balance of housing types and densities, and to preserve and maintain the City's residential areas as safe and convenient places to live." In-home childcare can be an integral part of neighborhoods and communities, and can benefit these areas if operated properly.

The surrounding properties vary in size, but almost all are single-family homes or similar uses, and all are located in the R1-7 Zone. With conditions, Staff finds that the proposed use for an in-home daycare is in keeping with the zoning, and can be compatible with the overall development pattern in the surrounding area. Mapping pertinent to the subject property can be found in Exhibit "A", attached to this report.

Operations: In order to mitigate potential impacts to the surrounding residential uses, Staff suggests that operating hours for an in-home daycare be limited to between 6:30 a.m. and 6:30 p.m., Monday through Friday. An outside employee may need to be added when the numbers of enrolled children require it. The applicant will have to meet all requirements of the State for the operation of in-home daycare.

Parking / Circulation: The property is accessed by a very long (more than 140') looping driveway on 500 North. The driveway is long enough to accommodate the occupants' parking, any additional employee's parking, and still allow for parents to pull off the street for pick-up and drop-off. With the length and looped nature of the driveway, this home and property can easily accommodate drop-off and pick-up traffic without impacting the neighborhood or street. Staff is suggesting that as a condition of approval, the applicants make

sure to keep the driveway clear during drop-off and pick-up times, and to stagger those as much as possible with clients in order to mitigate potential impacts to neighboring properties.

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 responses and comments on the potential effects this application, should it be approved, upon adjacent and nearby persons and property:

1. The proposed use is located in a residential area. In order to mitigate potential impacts, hours of operation should be limited.
2. Drop-off and pick-up have potential impacts on neighboring property owners. The applicant should plan to stagger the arrivals and departures and keep the driveway clear for employee parking as well as use by the parents so the impact to the street itself is minimized.
3. Compliance with health and safety regulations administered by the State and City is critical. No licenses will be issued without demonstrated compliance.

REVIEWS

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

1. The applicant will need to meet all requirements of the State and City for operation of child care facilities, and be licensed by each as required.
2. The applicant should set hours of operation that can mitigate impact on adjoining property owners, Staff recommends no earlier than 6:30 a.m. for drop-off and no later than 6:30 p.m. for pick-up.
3. The applicant should maintain the driveway clear for parking by any outside employee and for use by parents in pick-up and drop-off.

Engineering and Public Works Review. The Tooele City Engineering Division and the Public Works have no comments on this application.

Tooele City Fire Department Review. The Tooele City Fire Department recommends approval with the condition that the property must meet and maintain compliance with Building and Fire Codes.

Noticing. Notice of the public hearing has been properly posted and issued as outlined in the City and State Codes. Notices were also sent to adjoining property owners as required. No comments or questions have been received as of the writing of this report, 8/09/24.

STAFF RECOMMENDATION

Staff recommends APPROVAL of application #2024-032, request for Conditional Use Permit to allow an in-home daycare for between 8 and 16 children on the property at 301 E. 500 North in the R1-7 zoning district, subject to the following conditions:

1. The applicant shall meet all requirements of the State and City for operation of child care facilities, and be licensed by each as required.
2. The applicant shall comply with all Tooele City requirements for Home Occupation Business Licenses.
3. Hours of operation, including drop-off and pick-up, are limited to no earlier than 6:30 a.m. no later than 6:30 p.m., weekdays Monday through Friday. The applicant shall attempt to stagger drop-off and pick-up times with clients.
4. The applicant shall maintain available parking space in the driveway for any outside employee and for use by parents for drop-off and pick-up.
5. The facility shall meet all applicable Building and Fire Codes.

This recommendation is based on the following findings:

1. With conditions, the proposed use meets the intent, goals, and objectives of the Tooele City General Plan and the R1-7 zoning district.
2. With conditions, the proposed use will meet the requirements and provisions of the Tooele City Code.

3. With conditions, the proposed use will not be deleterious to the health, safety, and general welfare of the general public nor the residents of adjacent properties.
4. Potential impacts of the use have been identified in this report. The recommended conditions are intended to mitigate those impacts as required by Tooele City Code Section 7-5-4.

MODEL MOTIONS

Sample Motion for Approval – “I move we APPROVE application #2024-032, the request by Cynthia Williams for Conditional Use approval to allow an in-home daycare for between 8 and 16 children on the property addressed 301 E. 500 North in the R1-7 zoning district based on the findings of fact and subject to the conditions listed in the Staff Report dated August 9, 2024.”

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

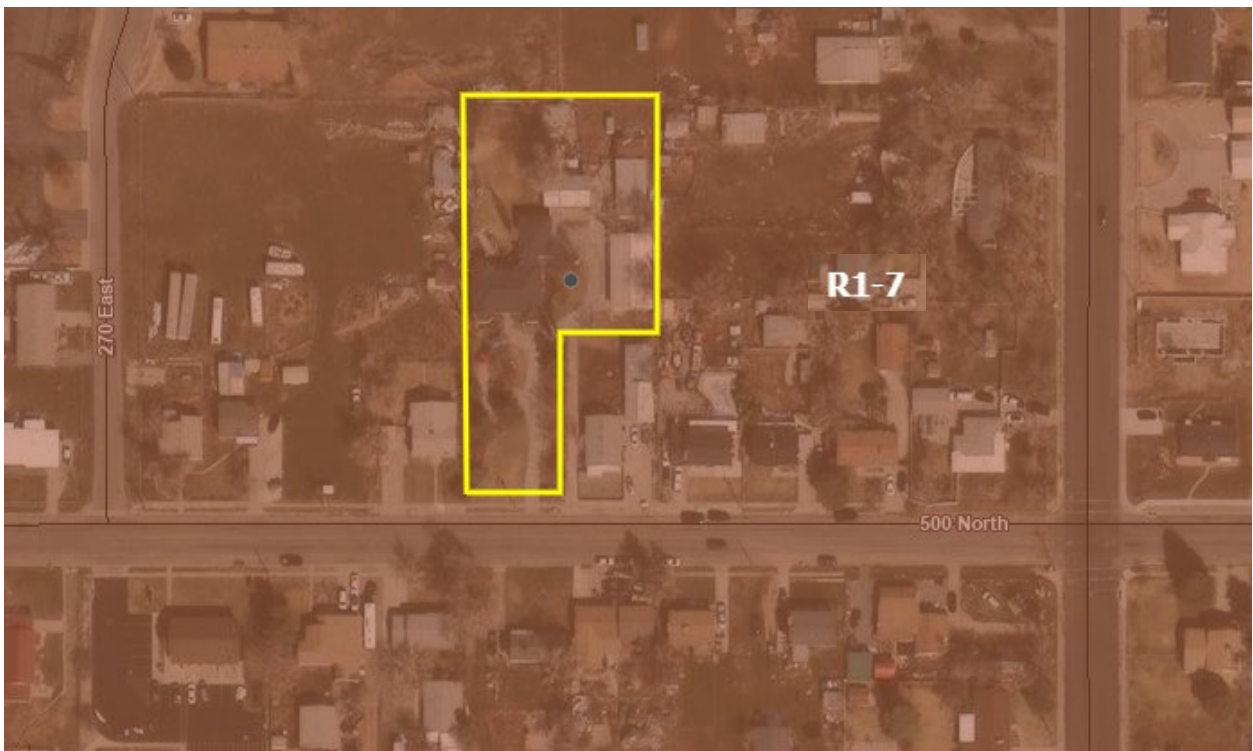
Sample Motion for Denial – “I move we DENY application #2024-032, the request by Cynthia Williams for Conditional Use approval to allow an in-home daycare for between 8 and 16 children on the property addressed 358 N. 200 West in the R1-7 zoning district based on the following findings of fact :”

1. List any findings of fact

EXHIBIT A: MAPPING PERTINENT TO THE REQUEST, CYNTHIA'S DAY CARE



Subject Property - Aerial Map



Subject Property - Zoning Map

EXHIBIT B: APPLICANT SUBMITTED INFORMATION

Conditional Use Permit Application

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



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

Project Information					2024032		
Date of Submission:		Current Zoning:		Parcel #(s):			
Project Name:		Lyathias Daycare			Access:		
Project Address:					Units:		
Project Description:							
Current Use of Property:							
Property Owner(s):				Applicant(s):			
Address:				Address:			
City:		State:	Zip:	City:		State:	Zip:
301 E 500 N		UT	84074				
Phone:				Phone:			
801-869-0869							
Contact Person:				Address:			
Phone:				City:		State:	Zip:
Cellular:		Fax:		Email:			
				caw113@hotmail.com			
Signature of Applicant:							
Cynthia Williams						Date:	7-29-24

*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. § 69-2-302.5, 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				2240731	
Fee:	150.00	Received By:	Jade	Date Received:	7/30/24
(213)				Receipt #:	1672683

AFFIDAVIT

PROPERTY OWNER

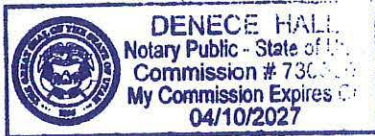
STATE OF UTAH }
 }ss
COUNTY OF TOOELE }

I/we, Cynthia, being duly sworn, depose and say that I/we am/are the owner(s) of the property identified in the attached application and that the statements herein contained and the information provided in the attached plans and other exhibits are in all respects true and correct to the best of my/our knowledge. I/we also acknowledge that I/we have received written instructions regarding the application for which I/we am/are applying and the Tooele City Community Development Department staff have indicated they are available to assist me in making this application.

Cynthia Williams
(Property Owner)

(Property Owner)

Subscribed and sworn to me this 29 day of July, 2024.



Denece Hall
(Notary)

Residing in Tooele County, Utah
My commission expires: 4/10/2027

AGENT AUTHORIZATION

I/we, Cynthia, the owner(s) of the real property described in the attached application, do authorize as my/our agent(s), _____, to represent me/us regarding the attached application and to appear on my/our behalf before any administrative or legislative body in the City considering this application and to act in all respects as our agent in matters pertaining to the attached application.

Cynthia Williams
(Property Owner)

(Property Owner)

Dated this 29 day of July, 2024 personally appeared before me _____, the signer(s) of the agent authorization who duly acknowledged to me that they executed the same.

(Notary)
Residing in Tooele County, Utah
My commission expires: _____

STAFF REPORT

August 9, 2024

To: Tooele City Planning Commission
Business Date: August 14, 2024

From: Planning Division
Community Development Department

Prepared By: Jared Hall, City Planner / Zoning Administrator

Re: Early Explorers Daycare – Conditional Use Permit Request, In-Home Childcare

Application No.: 2024-035
Applicant: Alyssa Fairbourn
Project Location: 358 N. 200 West
Zoning: R1-7, Residential
Acreage: .16 acres
Request: Conditional Use Permit approval to allow in-home childcare for 8-16 children

BACKGROUND

The subject property is a single-family residence located in the R1-7 zoning district. The applicant wishes to operate an in-home daycare for between 8 and 16 children. In-home daycare is allowed in the R1-7 Zone as a home occupation, but requires Conditional Use Permit approval by the Planning Commission for more than seven children.

ANALYSIS

General Plan and Zoning. The subject property is located in the R1-7, Single-Family Residential zoning district. “Home Occupation Day Care / Preschool” is an allowable use in the R1-7 Zone, but requires Conditional Use Approval when 8-16 children are involved. The stated purpose of the R1-7 zoning district is “to provide a range of housing choices to meet the needs of Tooele City residents, to offer a balance of housing types and densities, and to preserve and maintain the City’s residential areas as safe and convenient places to live.” In-home childcare can be an integral part of neighborhoods and communities, and can benefit these areas if operated properly.

The surrounding properties are all used as single-family residences, and all are located in the R1-7 Zone. With conditions, Staff finds that the proposed use for an in-home daycare is in keeping with the zoning, and can be compatible with the overall development pattern in the surrounding area. Mapping pertinent to the subject property can be found in Exhibit “A”, attached to this report.

Operations: The applicant has indicated that the child care will be operated from 7:30 a.m. to 5:30 p.m., Monday through Friday. An additional employee will be added when the numbers of enrolled children require it. The applicant will have to meet all requirements of the State for the operation of in-home daycare.

Parking / Circulation: The property is accessed from a driveway on 200 West. The driveway is long enough to accommodate the occupants’ parking, an additional employee’s parking, and still allow for parents to pull off the street for pick-up and drop-off. Staff is suggesting that as a condition of approval, the applicants make sure to keep the driveway clear during drop-off and pick-up times, and to stagger those as much as possible with clients in order to mitigate potential impacts to neighboring properties.

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 responses and comments on the potential effects this application, should it be approved, upon adjacent and nearby persons and property:

1. The proposed use is located in a residential area. In order to mitigate potential impacts, hours of operation should be limited.
2. Drop-off and pick-up have potential impacts on neighboring property owners. The applicant should plan to stagger the arrivals and departures and keep the driveway clear for employee parking as well as use by the parents so the impact to the street itself is minimized.
3. Compliance with health and safety regulations administered by the State and City is critical. No licenses will be issued without demonstrated compliance.

REVIEWS

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

1. The applicant will need to meet all requirements of the State and City for operation of child care facilities, and be licensed by each as required.
2. The applicant should set hours of operation that can mitigate impact on adjoining property owners, Staff recommends no earlier than 6:30 a.m. for drop-off and no later than 6:30 p.m. for pick-up.
3. The applicant should maintain the driveway clear for parking by any outside employee and for use by parents in pick-up and drop-off.

Engineering and Public Works Review. The Tooele City Engineering Division and the Public Works had no comments on this application.

Tooele City Fire Department Review. The Tooele City Fire Department recommends approval with the condition that the property meet and maintain compliance with Building and Fire Codes.

Noticing. Notice of the public hearing has been properly posted and issued as outlined in the City and State Codes. Notices were also sent to adjoining property owners as required. No comments or questions have been received as of the writing of this report, 8/09/24.

STAFF RECOMMENDATION

Staff recommends APPROVAL of application #2024-035, request for Conditional Use Permit to allow an in-home daycare for between 8 and 16 children on the property at 358 North 200 West in the R-1-7 zoning district, subject to the following conditions:

1. The applicant shall meet all requirements of the State and City for operation of child care facilities, and be licensed by each as required.
2. The applicant shall comply with all Tooele City requirements for Home Occupation Business Licenses.
3. Hours of operation, including drop-off and pick-up, are limited to no earlier than 6:30 a.m. no later than 6:30 p.m., weekdays Monday through Friday. The applicant shall attempt to stagger drop-off and pick-up times with clients.
4. The applicant shall maintain available parking space in the driveway for any outside employee and for use by parents for drop-off and pick-up.
5. The facility shall meet all applicable Building and Fire Codes.

This recommendation is based on the following findings:

1. With conditions, the proposed use meets the intent, goals, and objectives of the Tooele City General Plan and the R-1-7 zoning district.
2. With conditions, the proposed use will meet the requirements and provisions of the Tooele City Code.
3. With conditions, the proposed use will not be deleterious to the health, safety, and general

4. welfare of the general public nor the residents of adjacent properties. Potential impacts of the use have been identified in this report. The recommended conditions are intended to mitigate those impacts as required by Tooele City Code Section 7-5-4.

MODEL MOTIONS

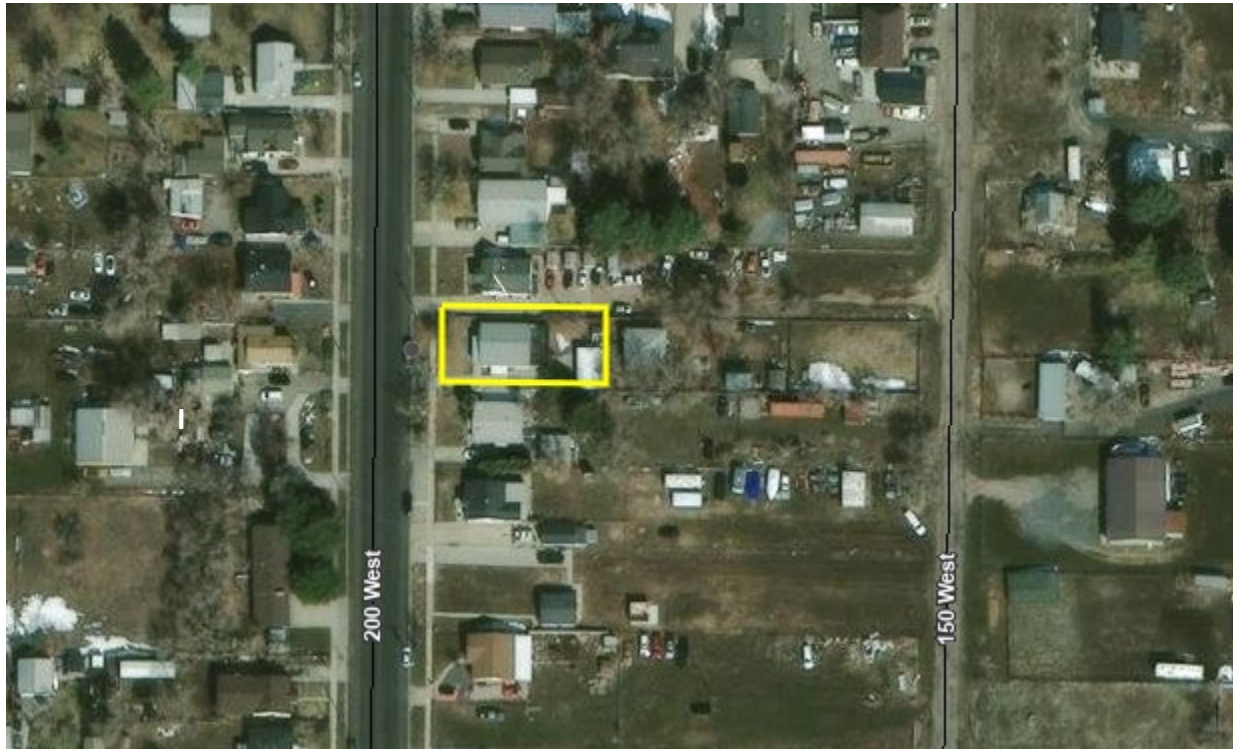
Sample Motion for Approval – “I move we APPROVE application #2024-035, the request by Early Explorers Daycare for Conditional Use approval to allow an in-home daycare for between 8 and 16 children on the property addressed 358 N. 200 West in the R1-7 zoning district based on the findings of fact and subject to the conditions listed in the Staff Report dated August 9, 2024.”

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

Sample Motion for Denial – “I move we DENY application #2024-035, the request by Early Explorers Daycare for Conditional Use approval to allow an in-home daycare for between 8 and 16 children on the property addressed 358 N. 200 West in the R1-7 zoning district based on the following findings of fact :”

1. List any findings of fact

EXHIBIT A: MAPPING PERTINENT TO THE REQUEST, EARLY EXPLORERS DAYCARE



Subject Property - Aerial Map



Subject Property - Zoning Map

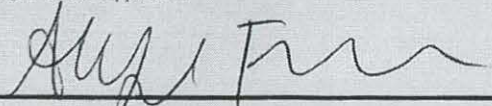
EXHIBIT B: APPLICANT SUBMITTED INFORMATION

Conditional Use Permit Application

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



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

Project Information			2024035		
Date of Submission:		Current Zoning:		Parcel #(s):	
Project Name: Early Explorers Daycare				Acres:	
Project Address: 358 N. 200 W. Tooele UT, 84074				Units:	
Project Description: In home family licensed daycare/childcare.					
Current Use of Property: Home					
Property Owner(s): Jake Fairbourn			Applicant(s): Alyssa Fairbourn		
Address: 358 N. 200 W.			Address: 358 N. 200 W.		
City: Tooele	State: UT	Zip: 84074	City: Tooele	State: UT	Zip: 84074
Phone: 385-329-9970			Phone: 801-897-0786		
Contact Person: Alyssa Fairbourn			Address: 358 N 200 W.		
Phone: 801-897-0786			City: Tooele	State: UT	Zip: 84074
Cellular: //	Fax: N/A		Email: earlyexplorersdaycare13@gmail.com		
Signature of Applicant: 					
Date 7-30-24					

*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.

2240745

For Office Use Only			
Fee: \$ 150.00 <small>(213)</small>	Received By: Jade	Date Received: 8/1/24	Receipt #: 673399

AFFIDAVIT

PROPERTY OWNER

STATE OF UTAH }
 }ss
COUNTY OF TOOELE }

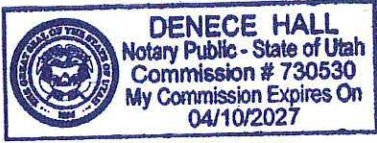
I/we, Alyssa Fairbourn, being duly sworn, depose and say that I/we am/are the owner(s) of the property identified in the attached application and that the statements herein contained and the information provided in the attached plans and other exhibits are in all respects true and correct to the best of my/our knowledge. I/we also acknowledge that I/we have received written instructions regarding the application for which I/we am/are applying and the Tooele City Community Development Department staff have indicated they are available to assist me in making this application.

Alyssa Fairbourn

(Property Owner)

(Property Owner)

Subscribed and sworn to me this 8 day of 1, 2024.



Denece Hall

(Notary)
Residing in Tooele County, Utah
My commission expires: 4/10/2027

AGENT AUTHORIZATION

I/we, _____, the owner(s) of the real property described in the attached application, do authorize as my/our agent(s), _____, to represent me/us regarding the attached application and to appear on my/our behalf before any administrative or legislative body in the City considering this application and to act in all respects as our agent in matters pertaining to the attached application.

(Property Owner)

(Property Owner)

Dated this ___ day of _____, 20___, personally appeared before me _____, the signer(s) of the agent authorization who duly acknowledged to me that they executed the same.

(Notary)
Residing in _____ County, Utah
My commission expires: _____

TOOELE CITY PLANNING COMMISSION

RESOLUTION 20__-__

A RESOLUTION DESIGNATING COLEMAN HOME AS A HISTORIC RESOURCE LANDMARK.

WHEREAS, UCA Section 10-8-84 enables Tooele City to “pass all ordinances and rules, and make all regulations . . . as are necessary and proper to provide for the safety and preserve the health, and promote the prosperity, improve the morals, peace and good order, comfort, and convenience of the city and its inhabitants, and for the protection of property in the city”; and,

WHEREAS, UCA Chapter 9-8a creates the State Historic Preservation Office and contains the State of Utah’s historic preservation policies; and,

WHEREAS, Tooele City has adopted a procedure, contained in Tooele City Code Chapter 2-9, by which the Planning Commission may designate certain areas or structures as historic resource landmarks; and,

WHEREAS, Coleman Home has been nominated by application, attached as Exhibit A, for designation as a historic resource landmark; and,

WHEREAS, the Historic Preservation Commission has considered the application and has returned a recommendation, attached as Exhibit B, in favor of designating Coleman Home as a historic resource landmark; and,

WHEREAS, the owner of Coleman Home either submitted or has been properly notified of the application; and,

WHEREAS, Coleman Home is located within the boundaries of Tooele City, is at least seventy-five (75) years old, and has not been subject to any major alterations or additions that have obscured or destroyed significant historic features; and,

WHEREAS, Coleman Home meets at least one of the criteria listed in Tooele City Code § 2-9-2(d) through –2(g), namely: [criterion]; and,

WHEREAS, the Planning Commission convened a public hearing on [date]; and,

WHEREAS, the Planning Commission finds that Coleman Home meets the conditions for designation as a historic resource landmark, and that so doing will encourage preservation of a culturally significant historic resource:

NOW, THEREFORE, BE IT RESOLVED BY THE TOOELE CITY PLANNING COMMISSION that Coleman Home is hereby designated as a historic resource landmark.

This Resolution is necessary for the immediate preservation of the peace, health, safety, or welfare of Tooele City and shall become effective upon passage, without further publication, by authority of the Tooele City Charter.

IN WITNESS WHEREOF, this Resolution is passed by the Tooele City Planning Commission this ____ day of _____, 20__.

TOOELE CITY PLANNING COMMISSION

(For)

(Against)

ABSTAINING: _____

ATTEST:

Michelle Y. Pitt, City Recorder

S E A L

Approved as to Form: _____
Roger Evans Baker, Tooele City Attorney

EXHIBIT A

Application Nominating Coleman Home
as Historic Resource Landmark

EXHIBIT B

Recommendations of
Historic Preservation Commission

Historic Landmark Nomination Form

Economic Development Department
90 N Main Street, Tooele UT 84074
435-843-2169
jareds@tooelecity.gov



This form is used to nominate historic resources (a building, structure, or site) for designation as a Tooele City Historic Landmark under Tooele City Code Title 2 Chapter 9. To be considered, a property owner must approve of the designation by signing the form below.

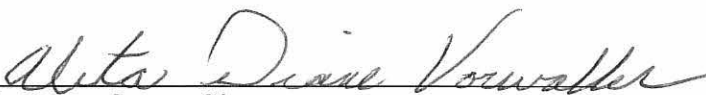
A potential historic resource must meet **all** of the following criteria (check all that apply):

- It is located within the boundaries of Tooele City.
- It is at least 75 years old.
- There are no major alterations or additions that have obscured or destroyed significant historic features.

A potential historic resource must also meet **one** of the following criteria (check all that apply):

- Currently listed in the National Register of Historic Places or eligible for listing as shown in a survey from the State Historic Preservation Office.
- Associated with events that have made a significant contribution to the history of the city, state, or nation.
- Has distinct architectural characteristics; should include documentation from an architect or photos for review by Tooele City and partners at the State Historic Preservation Office.
- Has yielded important history or prehistory (e.g. archaeological sites).

Applicant Information					
Date of Submission: 04/30/2024			Parcel Number(s): 02-075-00018		
Property Name (Historic & Current): George Edward Coleman - Aleta Diane Vorwaller					
Property Address: 461 South Coleman Street					
Property Owner(s): Aleta Diane Vorwaller			Applicant(s): <input checked="" type="checkbox"/> Same		
Address: 461 South Coleman Street			Address:		
City: Tooele	State: Utah	Zip: 84074	City:	State:	Zip:
Phone: 435-840-4423	Email: dianevorwaller@gmail.com		Phone:	Email:	


Property Owner Signature

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Historic Resource Information

Resource Classification (check all that apply):

Building Natural Feature Structure Site Other (please explain): _____

Historic Function or Use: Baptisms performed at Coleman Pond until the early 1900s.

Current Function or Use: **Private residence**

Please describe the physical characteristics of the site (e.g. architectural classification, materials of the foundation/walls/roof, unique features, etc.)

Pond consists of stone/rock. Stone/rock foundation used for the George Coleman home. Ice house/cellar is comprised of stone/rock.

Please describe the current physical appearance and state of the site, including any changes made over time and the dates, if known.

The integrity of the pond has been preserved with annual pond maintenance. Bentonite was added to the pond for water retention purposes. External plaster was applied over the exterior stone/rock of the ice house/cellar. The house has had updates/renovations over the years.

Describe the historic value of the resource/site: (What is the story of the property? Why should this resource be considered a historic landmark? What is significant about the site?). *Please attach relevant historic documents, photos and information.*

LeGrand Richards, who was a LDS Apostle was baptized in the Coleman Pond. The Coleman Pond was used for early day baptisms until the 1900s. Coleman Street which is located west of the property is named after George Coleman. Pear tree in front of house was planted at the time of Lincoln's inauguration and is still living, along with other heritage trees on the property.

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Process after Nomination:

1. Notice of public meetings to the property owner (City Code states they should be notified at least 5 days prior to the Historic Preservation Commission meeting.).
2. Recommendation by the Historic Preservation Commission; the commission will meet in a public meeting to review the nomination form and other submitted information.
3. Action by the Planning Commission; the Planning Commission will review the nomination and recommendation and vote to approve or deny.
4. After a historic resource is designated, a resolution will be recorded at the Tooele County Recorder's Office and be associated with the property in perpetuity.
5. If changes, renovations, or construction are proposed at the site a Certificate of Appropriateness will first be required. This will involve an application to Tooele City Economic Development, review by the Historic Preservation Commission, and action by the Planning Commission.

Meeting Minutes – June 12, 2024
Tooele City Hall – Small Conference Room

1. 3:30 PM - Roll Call

- a. Present: Al Bottema (Chair), Richard Trujillo, Ken Spence, Rebekka Peterson, Paul Smart, John Perez (Staff).

2. Review and Approval of December 2023 Meeting Minutes

- a. Minutes were reviewed and approved unanimously with two small corrections.
 - i. Correct spelling of FamilySearch from two words to one. (5. b. ii.)
 - ii. Correct the spelling of Rebekka from Rebecca with two "c's" to Rebekka with two "k's". (Roll Call)

3. Review and Discuss the Submitted Historic Landmark Nomination Forms:

- a. Coleman Home
 - i. Ken has newspaper articles/photos of LeGrand Richards being baptized in the Coleman Pond to submit to the Planning Commission.
 - ii. Unanimously recommended to send to the Planning Commission for final decision.
- b. Ritz Theater
 - i. Al has a postcard of the day the Ritz Theater opened to submit to the Planning Commission.
 - ii. Unanimously recommended to send to the Planning Commission for final decision.

John will follow up on additional information and photos for both locations.

John will work on getting these on the agenda for Planning Commission and will notify the Historic Preservation Commission of when that will be taking place.

4. Other Commission Discussion Items:

- a. Historic Tooele Website (feedback, priorities, etc.)
 - i. No updates requested for the Historic Tooele Story Map.
- b. Historic Site Plaques (process and priorities)
 - i. John has the plaque for the Kirk Hotel and has contacted Public Works about getting it placed on their building.
- c. Broadway/Newtown (storytelling, needs, etc.)
 - i. John and Councilwoman Maresa Manzione will be attending the Utah Main Street America Conference on Thursday where the plan will be discussed. It includes from Utah Avenue to 100 Aouth on Main Street and then that section over to Broadway. That is what has been approved and accredited.
- d. Formation of Tooele City Historic Main Street Commission (commission formation, priorities, etc.)

- i. Discussed the rebranding for the City's Downtown Alliance to a Commission as well as the separation between the Commission and Tyson Hamilton's 501(c)(3) Downtown Alliance.

5. Additional Discussion:

- a. Zacatecas Market
 - i. RLS for Zacatecas Market. Once they provide the receipts to John, he will send them to the state for reimbursement. They have until August.
 - ii. Submit the Historic Landmark Nomination Form. John will reach out to see if they are interested. One step towards getting it listed on the national register.
- b. Caboose and Train
 - i. \$2,000 were awarded to help restore/maintain the caboose and train. John reached out to the contact and has not heard anything.
 - ii. There is a gentleman in town who would be interested in working on it. John will reach out to Rick Graham for further information.
- c. CLG Grant
 - i. Jared did submit the grant, but John has not heard anything about if the money has been awarded.
 - ii. John will follow up to see if there is an update.
- d. Museums
 - i. Rebekka will start compiling a list of contacts for each of the local museums and email it out to the other members of the Commission.
 - 1. Historic Preservation Commission would like to gather representatives from each museum to determine the focus of the museum and determine what materials should go to what museum.
 - 2. John will help set up a meeting for the Historic Preservation Commission and the museum representatives in one of the conference rooms at City Hall.
 - ii. John will contact the County to see if they have any helpful information, potentially a tax-exempt list.
 - iii. John is meeting with the Education Foundation in the next few weeks and will talk with them to see if they are interested in making a museum based around education.
- e. Videos
 - i. Interested in making videos to interview individuals and go through history.
 - 1. John will reach out to the U or Utah State University and see if students might be interested in spearheading this project.
- f. Plaque on Broadway
 - i. Discussed getting a plaque for the ticket station – corner of Vine and Main.

6. The next Historic Preservation Commission Meeting will be on Wednesday, September 11, 2024 at 3:30 p.m. in either the Large Conference Room or Council Chambers.
 - a. Historic Preservation Commission members will invite museum representatives.
 - b. John will send out the meeting invite to Commission members.

7. **4:35 PM - Adjourn**

DRAFT

TOOELE CITY PLANNING COMMISSION

RESOLUTION 2024-03

A RESOLUTION DESIGNATING RITZ THEATER AS A HISTORIC RESOURCE LANDMARK.

WHEREAS, UCA Section 10-8-84 enables Tooele City to “pass all ordinances and rules, and make all regulations . . . as are necessary and proper to provide for the safety and preserve the health, and promote the prosperity, improve the morals, peace and good order, comfort, and convenience of the city and its inhabitants, and for the protection of property in the city”; and,

WHEREAS, UCA Chapter 9-8a creates the State Historic Preservation Office and contains the State of Utah’s historic preservation policies; and,

WHEREAS, Tooele City has adopted a procedure, contained in Tooele City Code Chapter 2-9, by which the Planning Commission may designate certain areas or structures as historic resource landmarks; and,

WHEREAS, Ritz Theater has been nominated by application, attached as Exhibit A, for designation as a historic resource landmark; and,

WHEREAS, the Historic Preservation Commission has considered the application and has returned a recommendation, attached as Exhibit B, in favor of designating Ritz Theater as a historic resource landmark; and,

WHEREAS, the owner of Ritz Theater either submitted or has been properly notified of the application; and,

WHEREAS, Ritz Theater is located within the boundaries of Tooele City, is at least seventy-five (75) years old, and has not been subject to any major alterations or additions that have obscured or destroyed significant historic features; and,

WHEREAS, Ritz Theater meets at least one of the criteria listed in Tooele City Code § 2-9-2(d) through –2(g), namely: It is associated with events that have made a significant contribution to the broad patterns of the history of the city, state, or nation.; and,

WHEREAS, the Planning Commission convened a public hearing on June 26, 2024; and,

WHEREAS, the Planning Commission finds that Ritz Theater meets the conditions for designation as a historic resource landmark, and that so doing will encourage preservation of a culturally significant historic resource:

NOW, THEREFORE, BE IT RESOLVED BY THE TOOELE CITY PLANNING COMMISSION that Ritz Theater is hereby designated as a historic resource landmark.

This Resolution is necessary for the immediate preservation of the peace, health, safety, or welfare of Tooele City and shall become effective upon passage, without further publication, by authority of the Tooele City Charter.

IN WITNESS WHEREOF, this Resolution is passed by the Tooele City Planning Commission this ____ day of _____, 20__.

TOOELE CITY PLANNING COMMISSION

(For)

(Against)

ABSTAINING: _____

ATTEST:

Michelle Y. Pitt, City Recorder

S E A L

Approved as to Form: _____
Roger Evans Baker, Tooele City Attorney

EXHIBIT A

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Historic Resource Landmark

EXHIBIT B

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- Has yielded important history or prehistory (e.g: archaeological sites).

Applicant Information						
Date of Submission: 4/15/24			Parcel Number(s):			
Property Name (Historic & Current): The Ritz						
Property Address: 111 N. Main St Tooele						
Property Owner(s): TCAC			Applicant(s): <input checked="" type="checkbox"/> Same			
Address: 90 N. Main St			Address:			
City: Tooele	State: UT	Zip: 84074	City:	State:	Zip:	
Phone: 435-830-2458	Email: info@tooelecityarts.council.com		Phone:	Email:		

Pamela Tooele City Arts Council, Director
 Property Owner Signature

Historic Landmark Nomination Form

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jareds@tooelecitey.gov



Historic Resource Information
Resource Classification (check all that apply): <input checked="" type="checkbox"/> Building <input type="checkbox"/> Natural Feature <input type="checkbox"/> Structure <input type="checkbox"/> Site <input type="checkbox"/> Other (please explain): _____
Historic Function or Use: Movie Theater
Current Function or Use: Performing Arts Venue
Please describe the physical characteristics of the site (e.g. architectural classification, materials of the foundation/walls/roof, unique features, etc.) Art Deco Lath & Plaster walls 1960s mural
Please describe the current physical appearance and state of the site, including any changes made over time and the dates, if known. addition added on in 1977 1970s decor added: paneling; leather
Describe the historic value of the resource/site: (What is the story of the property? Why should this resource be considered a historic landmark? What is significant about the site?). <i>Please attach relevant historic documents, photos and information.</i> attached

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7. **4:35 PM - Adjourn**

DRAFT

**Tooele City Planning Commission
Business Meeting Minutes**

Date: Wednesday, July 10, 2024

Time: 7:00 p.m.

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

Commission Members Present:

Melanie Hammer
Jon Proctor
Chris Sloan
Tyson Hamilton
Weston Jensen
Matt Robinson
Kelley Anderson

Commission Members Excused:

Alison Dunn

City Council Members Present:

Maresa Manzione
Ed Hansen

City Employees Present:

Andrew Aagard, City Development Director
Jared Hall, City Planner
Roger Baker, City Attorney

Minutes prepared by Katherin Yei

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

1. Pledge of Allegiance

The Pledge of Allegiance was led by Chairman Hamilton.

2. Roll Call

Melanie Hammer, Present
Tyson Hamilton, Present
Weston Jensen, Present
Chris Sloan, Present
Jon Proctor, Present
Kelley Anderson, Present
Matt Robinson, Present
Alison Dunn, Excused

3. Public Hearing and Recommendation on an annexation petition and plat regarding the annexation of 61.16 acres of property located at approximately 750 North Droubay Road into Tooele City's incorporated boundaries.

Presented by Andrew Aagard, Community Development Director

Mr. Perez presented an annexation petition and plat for the 61.16 acres of property located at 750 North Droubay Road. It currently does not have a land use designation. The surrounding properties are designated as MDR and zoned R1-7. The intended use is to develop the property to 172 lots of single-family homes. The studies the applicant submitted was provided for the Planning Commission.

The Planning Commission asked the following questions:

Does the developer have to provide their own utilities when they are not part of the City?

Is there anything different from the last application to this one?

Was the packet referencing the newest agreement?

Mr. Aagard addressed the Commission. If a piece of land is in Tooele City, the developer has a right to develop. Property annexed in will have to provide their infrastructure. The petition is essentially the same. There is a trail shown on the plans. The trail is part of Tooele County and not going to be part of the annexation. The agreement does mention minimum lot sizes and will have to follow up the single-family design standards.

Mr. Baker addressed the Commission. The letter from the Finance Director is new this go around. Tooele County has approached UDOT to acquire the property for a trail. One of the agreements was to have a contribution to help offset public safety costs, pedestrian activated crosswalks, and recommendations of the varies studies will guide the developer to improve the water and sewer systems.

The Planning Commission opened the public hearing. No one came forward. The public hearing was closed.

Commissioner Proctor motioned to approve a positive recommendation on an annexation petition and plat regarding the annexation of 61.16 acres of property located at approximately 750 North Droubay Road into Tooele City's incorporated boundaries based on the findings listed in the staff report. Commissioner Hammer seconded the motion. The vote was as follows: Commissioner Hammer, "Aye", Commissioner Sloan, "Aye", Chairman Hamilton, "Aye", Commissioner Jensen, "Nay", Commissioner Robinson, "Aye", Commissioner Proctor, "Aye", and Commissioner Anderson, "Nay". The motion passed.

4. Public Hearing and Decision – Application #2024-020, a request by Heygley Gonzalez for Conditional Use approval to allow an in-home childcare business for between eight and sixteen children on property located at 942 N. 650 East in the R1-7 Zoning District.

Presented by Jared Hall, City Planner

Mr. Hall presented a Conditional Use Permit for 8-16 children for an in-home childcare business located near 942 N 650 East. It is zoned R1-7. Operation begins at 7:30am for staff. Children will arrive between 8:00am and 9:00am. There are two spaces in the driveway for parents to park. Staff will be waiting at the door during hours to help with safety, pick up, and drop off times. Operations end at 6:00pm. Staff is recommending approval with the conditions listed.

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

Commissioner Hammer motioned to approve the Conditional Use Permit for an in-home childcare business for between eight and sixteen children on property located at 942 N. 650 East in the R1-7 Zoning District based on the findings, facts, and subject to the conditions listed in the staff report. Commissioner Jensen seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”, Commissioner Sloan, “Aye”, Chairman Hamilton, “Aye”, Commissioner Jensen, “Aye”, Commissioner Robinson, “Aye”, Commissioner Proctor, “Aye”, and Commissioner Anderson, “Aye”. The motion passed.

5. City Council Reports

Council Member Manzione did not have anything to report.

6. Review and Approval – Planning Commission Minutes

There are no changes to the minutes.

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

Commissioner Anderson abstained from voting.

7. Adjourn

Chairman Hamilton adjourned the meeting at 7:23 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 July, 2024

Tyson Hamilton, Tooele City Planning Commission Chair