

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN THAT the Tooele City Planning Commission will meet in a business meeting scheduled for **Wednesday, August 28, 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 #2024-038, a request by Natsu Healthcare for Conditional use Permit approval to allow the operation of a medical clinic including social and medical detoxification services on property located at 1959 N. Aaron Drive in the Overlake Highway Commercial zoning district.
Jared Hall, City Planner presenting
4. **Public Hearing and Recommendation** – Application #2024-031, a request by Julia Laboriel and GL Home Investments to amend the Land use Map designation of 9.81 acres of property located at approximately 300 East 1000 North from Medium Density Residential to High Density Residential.
Jared Hall, City Planner presenting
5. **City Council Reports**
6. **Review and Approval** – Planning Commission Minutes for the meeting held on August 14, 2024.
7. **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 23, 2024

To: Tooele City Planning Commission
Business Date: August 28, 2024

From: Planning Division
Community Development Department

Prepared By: Jared Hall, City Planner / Zoning Administrator

Re: Natsu Healthcare – Conditional Use Permit Request, Medical Clinic

Application No.: 2024-038
Applicant: Natsu Healthcare
Project Location: 1959 N. Aaron Drive, Suites C & F
Zoning: Overlake, Highway Commercial
Acreage: 0.88 acres
Request: Conditional Use Permit approval for a Medical Clinic with detoxification services

BACKGROUND

Natsu Healthcare currently operates administrative offices on the subject property. This application is to allow social and medical detoxification services as well. Administering these services will require that the facility be considered a medical clinic under the Zoning Ordinance and the Building Codes. Both social and medical detoxification may involve overnight stays between three and fourteen days. Medical clinics and hospital services are allowable in this zoning, but require Conditional Use approval. The applicant proposes to provide these services including between 8-10 beds for medical detoxification (where medicines are administered to the patient as a part of the process) and an additional 6-8 beds dedicated to social detoxification (where the patient is isolated from access to substance and supported by staff). Patients would stay at the facility in program for between 3 and 14 days.

ANALYSIS

General Plan and Zoning. The subject property is located on Aaron Drive (a block west of Main Street) and on the south side of 2000 South, in the Overlake area. The Overlake area is governed by set of zoning ordinances established in a development agreement. The subject property is located in the Highway Commercial Zone. “Medical Clinics” and “Hospitals” are allowed uses in the Highway Commercial Zone but require conditional use approval. The Highway Commercial zoning with Overlake is intended to provide an area for commercial development that benefits from access and visibility of Main Street (SR-36) and creates opportunities for services that may be utilized by residents of the area and larger city. Properties to the north across 2000 North are located in the GC, General Commercial Zone and include the senior care center and the hospital. The surrounding properties to the south, east, and west are located in the Overlake Highway Commercial Zone and the Overlake Single Family Zone. The uses of those properties include single-family homes, a convenience store and gas station, and several other office buildings and uses. Impacts to the non-residential uses should be minimal. The greatest physical separation is from the subject property to the residential uses. that the proposed use as a seminary building is in keeping with the zoning, and 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.

Site Plan Layout. The property consists of two multi-unit commercial buildings with associated parking and landscaping. No changes to the site layout are necessary for the addition of the detoxification services at this location, all changes will be internal to the building. No changes to site are proposed.

Parking: The site is served with 130+ parking spaces, which is more than one space per 200 square feet, which is a common parking requirement for medical clinics. Parking requirements for “Health Care Facilities” in Chapter 7-4-4 of the zoning ordinance requires 1 space for each 2 patient beds, plus 1 space for each employee. The applicant has indicated that the clinic will include a maximum of 18 beds. The existing parking will be more than adequate to accommodate the necessary employees and patient care without impacting other tenants of the project or neighboring properties.

Access: The subject property can be accessed from 2000 North, from Aaron Drive, and from 1910 North, which is a local road running west into the adjacent single-family neighborhood. Because access to the site from the larger area is easiest from 2000 North, Staff does not anticipate that traffic from the intended use will increase into the residential neighborhood, and should not increase overall from the properties use as office space. Planning staff recommends that patient materials include instructions for access to the site from 2000 North.

Landscaping: No changes to landscaping are proposed. Landscaping has been maintained along required frontages, around the buildings, and a landscape buffer runs along the west property line where the property is adjacent to the single-family neighborhood. A solid vinyl fence is located along this property line as well.

Lighting: Street lights and building mounted lights are in place. No parking lot lighting beyond this is existing or proposed.

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. Although the change in use does not necessitate changes to the site, the proposed use will require a change in building code occupancy. This will require remodeling and construction to comply with building and fire codes, and all permits should be obtained before work begins.
2. The required construction and remodeling presents the necessity for work to be done properly and safely. As such, it is imperative that all construction activities comply with property regulations which can be assured through the City's Engineering, Public Works, Fire Department and Building Division plan reviews, permitting, and inspection processes.
3. The proposed use will not generate heavy vehicular traffic, and impacts to the adjacent neighborhood should be limited. Staff will recommend that the applicants include directions to the property from 2000 North in their patient materials and information in order to further direct traffic to the site away from the residential areas.
4. Although the services will be available overnight, regular office business hours should be established for other activities to limit impacts on other uses in the area.

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 shall meet all City requirements and obtain a Tooele City Business License.
2. The applicant shall obtain Tooele City Building Permits to comply with the necessary change of occupancy, and shall comply with property regulations for construction activities.
3. The applicant shall include directions to the site from 2000 North in their patient materials and other information.
4. The applicant shall limit the hours of regular operation to normal business hours, between 7:00 a.m. and 6:00 p.m. Access afterhours should be on a limited basis to limit the impacts of the change in use.

Engineering and Public Works Review. The Tooele City Engineering Division and the Public Works Department did not have comments on this application.

Tooele City Fire Department Review. The Tooele City Fire Department recommends approval with the condition that the proposed use meet all applicable requirements of the 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, 8/23/24.

STAFF RECOMMENDATION

Staff recommends APPROVAL of the request for Conditional Use Permit to allow a medical clinic including detoxification services on the property located at 1959 N. Aaron Drive, subject to the following conditions:

1. The applicant shall meet all City requirements and obtain a Tooele City Business License.
2. The applicant shall obtain Tooele City Building Permit for the necessary change of occupancy and shall comply with property regulations for construction activities throughout the process of remodeling.
3. The applicant shall include directions to the site from 2000 North in patient materials and other information.
4. The applicant shall establish hours of regular operation between 7:00 a.m. and 6:00 p.m., providing after-hours access on a limited basis as needed.
5. The applicant shall comply with all applicable Building and Fire Codes.

This recommendation is based on the following findings:

1. The proposed use meets the intent, goals, and objectives of the Tooele City General Plan and the Overlake, Highway Commercial 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. With conditions, the proposed use will not negatively impact public services in the area.
5. 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 the request for Conditional Use Permit, application #2024-038 by Natsu Healthcare to allow a medical clinic on the subject property, 1959 N. Aaron Drive in the Overlake, Highway Commercial zoning district based on the findings of fact and subject to the conditions listed in the Staff Report dated August 23, 2024.”

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

Sample Motion for Denial – “I move we DENY the request for Conditional Use Permit, application #2024-038 by Natsu Healthcare to allow a medical clinic on the subject property, 1959 N. Aaron Drive in the Overlake, Highway Commercial zoning district based on the following findings of fact”

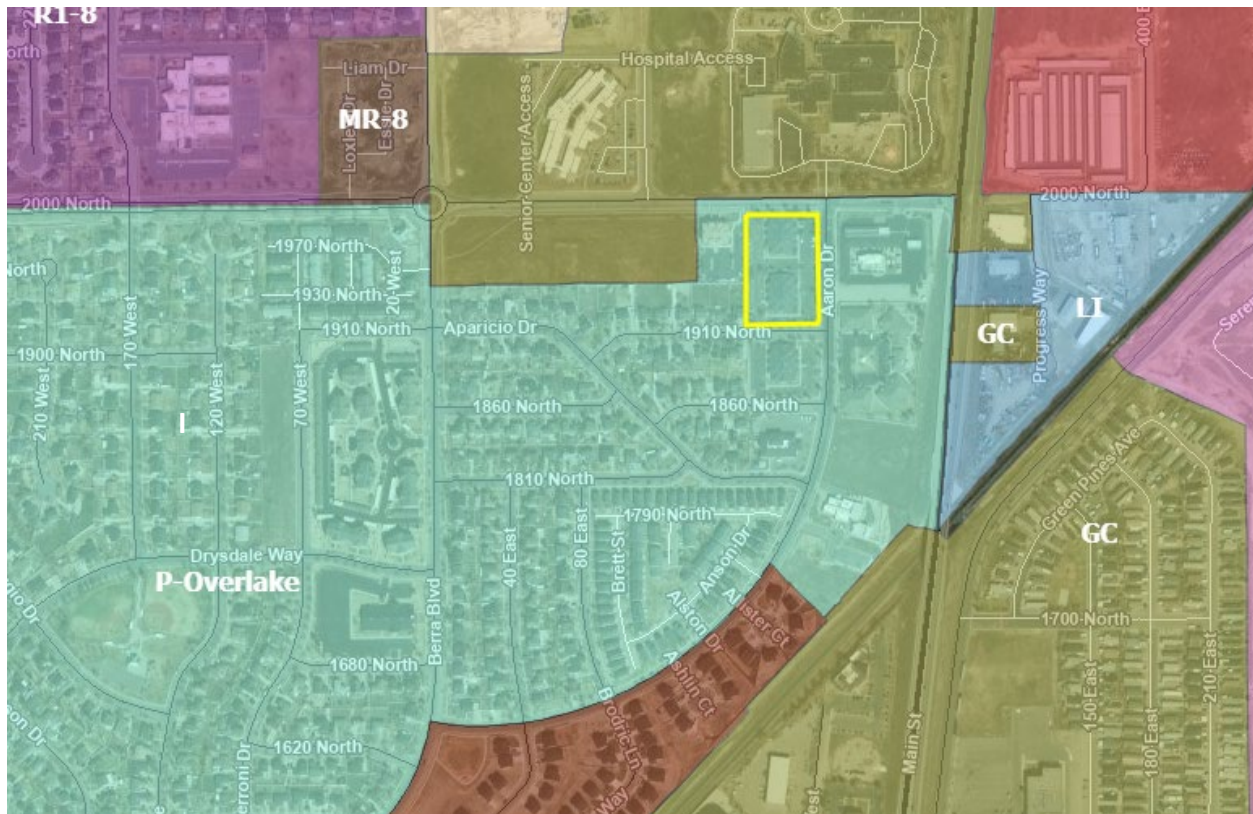
1. List findings of fact

EXHIBIT A

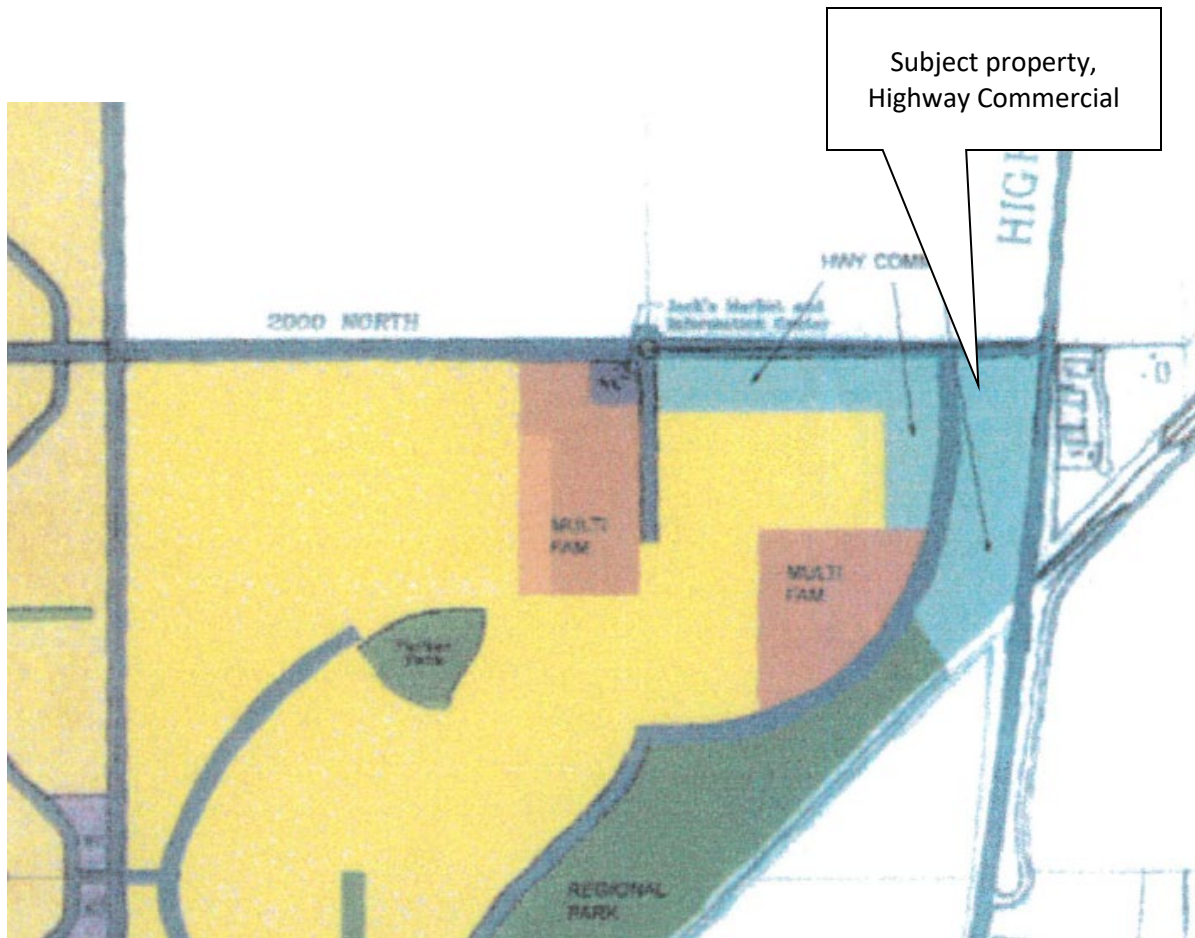
MAPPING PERTINENT TO THE REQUEST, DESERET PEAK SEMINARY BUILDING













1: Subject Property, aerial view



2: Subject Property, zoning



Uses

 Single Family	 Religious
 Single Family Zero Lot line	 Street R.O.W.
 Multifamily	 Neighborhood Commercial
 Mixed Use	 Highway Commercial
 Educational	 Open Space, Parks, Golf Course

3: From the Overlake Land Use and Zoning Exhibit

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					
Date of Submission: 8.9.24		Current Zoning:		Parcel #(s): 2024030 14-033-0-0902	
Project Name: Natsu Medical Detox				Acres:	
Project Address: 1959 N. Aaron Dr Suite C/F				Units: C and F	
Project Description: Social/Medical detox 8-10 beds for Medical detox Length of stay: 3-5 social 10-8 beds for social detox 2-4 medical detox					
Current Use of Property: Administration offices					
Property Owner(s): Haven Cove Phase 3 LLC			Applicant(s): Natsu Healthcare		
Address: 1723 S. 1900 W.			Address: 1959 N. Aaron Dr Suite C		
City: Ogden	State: UT	Zip: 84401	City: Tooele	State: UT	Zip: 84074
Phone: 801-940-1851			Phone: 435-850-1823 / 801-382-9696		
Contact Person: Chad Stephens			Address: 1959 N Aaron Dr. Suite C		
Phone: 801-940-1851			City: Tooele	State: UT	Zip: 84074
Cellular: 801-940-1851	Fax:	Email: Victor @ natsuhealth.com		chad @ comfortsolution.com	
Signature of Applicant:					
Date: 8.9.24					

*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.

For Office Use Only			
Fee: \$600.00 (213)	Received By: 6075441	Date Received: 8/9/2024	Receipt #: 2240779

AFFIDAVIT

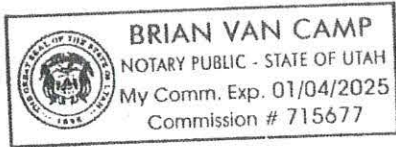
PROPERTY OWNER

STATE OF UTAH)
)ss
COUNTY OF TOOELE)

I/we, Chad Stephens, 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.

Chad Stephens
(Property Owner)

Subscribed and sworn to me this 5 day of August, 2024 _____ (Property Owner)



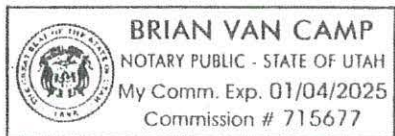
BVC
(Notary)
Residing in Davis County, Utah
My commission expires: 1/4/2025

AGENT AUTHORIZATION

I/we, Chad Stephens, the owner(s) of the real property described in the attached application, do authorize as my/our agent(s), Victor Garcia, 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.

Chad Stephens
(Property Owner)

Dated this 5 day of August, 2024, personally appeared before me Chad Stephens (Property Owner) the signer(s) of the agent authorization who duly acknowledged to me that they executed the same.



BVC
(Notary)
Residing in Davis County, Utah
My commission expires: 1/4/2025

STAFF REPORT

August 23, 2024

To: Tooele City Planning Commission
Business Date: August 28, 2024

From: Planning Division
Community Development Department

Prepared By: Jared Hall, City Planner / Zoning Administrator

Re: Townhomes at 1000 North – Land Use Map Amendment Request

Application No.: 2024-031
 Applicant: Julia Laboriel, GL Home Investments
 Project Location: Approximately 300 East 1000 North
 LU Designation: Medium Density Residential
 Current Zoning: RR-5, Rural Residential
 Acreage: 9.81 acres
 Request: Land Use Map Amendment to High Density Residential

BACKGROUND

The applicant is requesting an amendment to the Land Use Map of the General Plan, re-assigning the 9.81-acre subject property from the Medium Density Residential (MDR) designation to the High Density Residential (HDR) designation in order to facilitate a potential change of zoning that would allow development of townhomes on the property. The HDR designation would align with multi-family zones, allowing higher density residential uses such as townhomes, apartments and condominiums.

ANALYSIS

General Plan Considerations. Land Use Map designations are intended in part to help inform and guide decisions related to the zoning of properties. Different land use designations support some zoning types over others. The current Land Use Map designation of the subject property is Medium Density Residential (MDR).

Preferred Zoning Districts, by Land Use Designation			
Medium Density Residential, 0.6 – 3.5 dwelling units per acre	R1-10	R1-8	R1-7
High Density Residential, 8-20 dwelling units per acre	MR-8	MR-16	MR-20

Zoning districts supported by the requested HDR designation are the MR-8, MR-12, MR-16 and MR-20, Multi-Family Residential zoning districts. Single family homes and duplex type residential units are not permitted in the MR zoning districts.

Properties to the east and north are designated MDR. Properties to the west are designated Regional Commercial (RC). Crossing 1000 North, the properties to the south are designated HDR. The applicant would argue that this request represents a natural expansion of that designation, allowing higher density zoning

adjacent to the Commercial development to the west. Additionally, it should be noted that there is a higher density residential senior living community to the south and a nursing home immediately adjacent. Not far to the north is Western Acres, a large higher density residential townhome development. Western Acres will not extend south to the subject property but it will be close to it. There are no existing single-family residential subdivisions within close proximity to the subject property.

Goals & Objectives. The Land Use Map is a part of the Land Use Element of the General Plan. The Land Use Element includes general goals and objectives as well as several more goals that are more specific to the requested High Density category itself. In reviewing the Land Use Element, staff suggests that the following goals and objectives could be considered as they relate to the current proposal.

- From the High Density Residential Land Use Category: *“Developments in these areas should be situated in close proximity to recreation facilities, services, schools, transit opportunities, commercial centers, and employment centers...”*

“These areas should provide a buffer to single-family neighborhoods and be integrated between those and surrounding nonresidential uses.”

The subject property is located adjacent to land that is designated RC, and is zoned Light Industrial (LI). The proposed change may support these statements linked to the requested High Density Residential designation.

- From the General Land Use Goals and Objectives, Goal #4: *“Maintain a balance of land uses that support a high quality of life, a diverse economic base, and a rich mixture of housing and leisure opportunities.”*

The proposed change is in support of higher density residential uses that would align with those to the south and north, and could be viewed as forming an appropriate transition from the commercial/industrial development to the west and the single-family detached uses further east. The proposed re-assignment of this property to HDR could be viewed as supporting this goal.

Zoning. The subject property is currently zoned Rural Residential, RR-5. As discussed previously, the proposed reassignment from MDR to HDR would support zoning changes to multi-family zones as opposed to single-family zones.

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

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

- (f) The overall community benefit of the proposed amendment.

REVIEWS

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

1. The proposed change can be viewed as aligned with and supporting objectives and goals of the General Plan regarding higher density uses being located near services and transportation corridors.
2. The proposed change can be viewed as aligned with and supporting objectives and goals of the General Plan regarding higher density uses providing buffers between lower density residential uses and non-residential uses.
3. The proposed change can be viewed as supporting a more diverse range of housing for the larger area, and places that density within close proximity to the area's major transportation route, SR-36 and to the services along that route and immediately adjacent.

Engineering Review & Public Works Review. The Tooele City Engineering Division and Public Works Department have concerns about providing water for additional density where no current zoning exists.

Fire Department Review. *The Fire Department had no comments about this application.*

Noticing. Notice of the public hearing has been publicly posted and properly issued to area property owners 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 application number 2024-031: the request by Julia Laboriel and GL Home Investments to amend the Land Use Map designation of the 9.81-acre property located at approximately 300 East and 1000 North from Medium Density Residential to High Density Residential based on the following findings and conditions:”

1. List findings and any conditions...

Sample Motion for a Negative Recommendation – “I move we forward a negative recommendation to the City Council for application number 2024-031: the request by Julia Laboriel and GL Home Investments to amend the Land Use Map designation of the 9.81-acre property located at approximately 300 East and 1000 North from Medium Density Residential to High Density Residential based on the following findings:”

1. List findings...

EXHIBIT B: APPLICANT PROVIDED MATERIALS

Land Use Map Amendment 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 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					
Date of Submission: 07-18-2024		Current Land Use MDP Designation: RR-5		Proposed Land Use HDP Designation: MR-16	
Project Name: TOWN Homes at 1000				Parcel #(s): 02-125-0-0033	
Project Address: Approximatly 300 E 1000 N				Acres: 9.81	
Brief Project Summary: We are proposing to change the zoning from RR-5 to MR-16.					
Property Owner(s): Project A-1 LLC			Applicant(s): Julia Laboriel		
Address: 10808 S Riverfront Parkway #3059			Address: 6333 Lake powell Circle		
City: South Jordan	State: Utah	Zip: 84095	City: West Jordan	State: UT	Zip: 84081
Phone: 801-9791353			Phone: 801-9791353		
Contact Person: Julia Laboriel			Address:		
Phone:			City:	State:	Zip:
Cellular: 801-9791353	Fax:		Email: glhomeinvestments@gmail.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 to Applicant:

Land Use Map designations are made by ordinance. Any change Land Use 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.

2240725

For Office Use Only			
Received By: JSSI	Date Received: 7/26/24	Fees: 2,000	App.# Ret# 672151

Zoning Map

1. What is the present zoning of the property?
RR-5

2. Explain how the proposed zoning is consistent with the current land use designation.

We are proposing to change the zoning from RR-5 to MR-16. North of the RR-5 property is a large townhome project zoned MR-16. to the West, and adjacent to the property is Light Industrial zoning, directly to the South adjacent is GC zone and further south across 1000 N St. is MR-8 zoning and a parcel of MR-20 next to it.

To the east is medium density, R1 -8 lots. We feel the proposed zoning will provide a step in land use intensity from light industrial to the single family lots east of the subject property and will match the zone and use to the north.

3. Explain how the proposed zoning is similar or compatible to the current zoning in the surrounding area.

The proposed zone matches the properties to the north, our intent is to construct a similar project that continues the flow and feel of the current townhome project. The properties to the west are in a Regional Commercial land use, Additional residents I the area will help support those business's having a large collector street between the two zones provide additional buffering distances to the light commercial property. The single family homes to the east will benefit from a stepped zoning approach with a residential project with 40% open space between their property and the industrial properties west of the subject property.

4. Explain how the proposed zoning is suitable for the existing uses of the subject property(s).

The property is currently vacant land with native grasses and weeds, The proposed zone is suitable for the existing property as it fronts on a new collector street (180 East St) that will connect onto 1000 N, a major collector street. 180 East will eventually connect through into LI zone on 1100 N and also to the portion of 180 E further to the north which will provide good

connectivity and will further help to disperse traffic. It does not interrupt any historic drainage patterns or create any types of nuisance to surrounding neighbors.

5. Explain how the proposed zoning promotes the goals and objectives of Tooele City.

This zone change will promote the goals and objectives of Tooele City by providing a safe well design project with 40% open space, amenities and a trail system around the project, it will also provide a more affordable housing option. Walkable and a close to the town center and a bus routes, at a price point for residents unable to afford a single family home: or those residents who prefer a more affordable housing option. Walkable and close to the town center and bus routes, at a price point for residents, unable to afford a single family home: or for those residents who prefer to live in a community where the yard work is done for them. With an HOA maintaining the property it will be a well lit and clean property with an amply marked crosswalks which will promote the health, safety and welfare for those residents without negatively impacting surrounding properties.

General Plan Map

1. What is the present land use designation of the subject property?

Medium Density Residential

2. Explain how the proposed land use designation is similar or compatible with the other land use designation in the surrounding area.

The proposed land use is High Density Residential which is identical property to the north, The property to the west is Regional Commercial, good planning practices call for a stepping in land use intensity from intense uses like regional commercial to our west, to medium density single family homes to the east of the subject property. A high density residential project provides a nice step between the two uses. With ample open space it will

provide good buffering between the single family lots and the Industrial zone, A high density project with walking distance to downtown makes it compatible with the commercial business offering retail business.

3. What do you anticipate the land being use for?

The subject property is to be used for residential townhome project with 40% open space, internal trails, and amenities.

4. Explain how the proposed land use designation would affect property, surrounding properties, and Tooele City.

The proposed project would add significant tax base to the city, it will also provide a collector street which is part of the cities transportation Master Plan. This will eventually increase connectivity and better disperse traffic, it will also provide access to land locked properties. In addition, it will also provide an increased client base for the retail and commercial properties nearby.

5. Explain how the proposed land use designation promotes the goals and objectives of Tooele City.

One of the missions of Tooele City is to advance economic opportunity and provide a higher quality of life. This project will provide economic for a local builder to construct the project. Once built, some of the residents will bring their local small businesses to Tooele. They will also fill jobs that are currently in need. The project will provide an affordable place to live and own for a price less than it costs to rent in Salt Lake Valley which provides a higher quality of life. There will be large landscaped areas for children to play and adults to walk and get exercise.

**Tooele City Planning Commission
Business Meeting Minutes**

Date: Wednesday, August 14, 2024

Time: 7:00 p.m.

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

Commission Members Present:

Melanie Hammer
Chris Sloan
Tyson Hamilton
Weston Jensen
Kelley Anderson
Alison Dunn
Jon Gossett

Commission Members Excused:

Matt Robinson
Jon Proctor

City Council Members Present:

Ed Hansen

City Council Members Excused:

Maresa Manzione

City Employees Present:

Andrew Aagard, City Development Director
Jared Hall, City Planner
Roger Baker, City Attorney
Paul Hansen, City Engineer
Jared Perez, Economic Development Director

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
Kelley Anderson, Present
Alison Dunn, Present
Jon Gossett, Present
Jon Proctor, Excused
Matt Robinson, Excused

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.

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 301 E 500 North. It is zoned R1-7, single-family. There is room to have an employee and clients park on the property. Staff has recommended the hours between 6:30am-6:30pm with staggering drop off and pick up times. The applicant will have to meet all state requirements.

The Planning Commission opened the public hearing.

Caroline Nash shared concerns of fencing between the properties and the wildlife in the area.

The public hearing was closed.

The Planning Commission asked the following questions:
What are the conditions listed about the fencing?

Mr. Hall addressed the Commission’s questions. The state does have requirements on outdoor areas and fencing.

Commissioner Jensen motioned to approve 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 based on the findings and subject to the conditions listed in the staff report. Commissioner Dunn seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”, Commissioner Sloan, “Aye”, Chairman Hamilton, “Aye”, Commissioner Dunn, “Aye”, Commissioner Jensen, “Aye”, and Commissioner Anderson, “Aye”. The motion passed.

4. 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

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 358N 200 West in the R1-7, residential single-family homes. There is room to have an employee and clients park on the property. Staff has recommended the hours between 6:30am-6:30pm with staggering drop off and pick up times. The applicant will have to meet all state requirements.

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

Commissioner Anderson motioned 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 based on the findings and subject to the conditions 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 Dunn, “Aye”, Commissioner Jensen, “Aye”, and Commissioner Anderson, “Aye”. The motion passed.

5. Review and Decision – Resolution 2024-02, designating the Coleman Home, located at 461 S. Coleman Street, as a Historic Resource Landmark.

Presented by John Perez, Economic Development Director

Mr. Perez presented Coleman Home as a Historic Resource Landmark. This was discussed during the June meeting and approved by the Planning Commission. This item has come back as a formal Resolution.

Commission Sloan motioned to approve Resolution 2024-02, designating the Coleman Home, located at 461 S. Coleman Street, as a Historic Resource Landmark. Commissioner Dunn seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”, Commissioner Sloan, “Aye”, Chairman Hamilton, “Aye”, Commissioner Dunn, “Aye”, Commissioner Jensen, “Nay”, and Commissioner Anderson, “Nay”. The motion passed.

6. Review and Decision – Resolution 2024-03, designating the Ritz Theater, located at 111 N. Main Street, as a Historic Resource Landmark.

Presented by John Perez, Economic Development Director

Mr. Perez presented the Ritz Theater as a Historic Resource Landmark. This was discussed during the June meeting and approved by the Planning Commission. This item has come back as a formal Resolution.

Commissioner Hammer motioned to approve the Resolution 2024-03, designating the Ritz Theater, located at 111 N. Main Street, as a Historic Resource Landmark. Commissioner Anderson seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”, Commissioner Sloan, “Aye”, Chairman Hamilton, “Aye”, Commissioner Dunn, “Aye”, Commissioner Jensen, “Aye”, and Commissioner Anderson, “Aye”. The motion passed.

7. City Council Reports

Council Member Hansen reported the following from the City Council meeting:

The Council has approved the annexation agreement, discussing lot sizes and continuing the trail.

8. Review and Approval – Planning Commission Minutes

There are no changes to the minutes.

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

9. Adjourn

Chairman Hamilton adjourned the meeting at 7:20 p.m.

The content of the minutes is not intended, nor are they submitted, as a verbatim transcription of the meeting. These minutes are a brief overview of what occurred at the meeting.

Approved this ____ day of August, 2024

Tyson Hamilton, Tooele City Planning Commission Chair