

## PUBLIC NOTICE

NOTICE IS HEREBY GIVEN THAT the Tooele City Planning Commission will meet in a business meeting scheduled for **Wednesday, May 14, 2025** 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/@tooelecitv](https://www.youtube.com/@tooelecitv) or searching for our YouTube handle @tooelecitv. If you would like to submit a comment for any public hearing item you may email [pcpubliccomment@tooelecitv.gov](mailto:pcpubliccomment@tooelecitv.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** to consider a request by Kyle Mathews & Old Hickory Building and Shed for Conditional Use Approval for "Accessory Outdoor Sales and Display Incidental to an Allowed Use" in the General Commercial Zoning District at 1094 N. Main Street.
4. **Public Hearing and Recommendation** to consider a request by Boyd Brown representing Grow Development, LLC for a Land Use Map Amendment in the General Plan of 11.7 acres from Medium Density Residential (preferred zoning districts R1-7, R1-8, R1-10) to Light Industrial (preferred zoning districts Light Industrial, Industrial Service) for the Fire Station Business Park located at 249 E. 1000 North.
5. **Public Hearing and Recommendation** on proposed text amendments to Tooele City Codes 7-4-4; Number of Parking Spaces, 7-11a-13.1; Parking – Townhouses, Condominiums, 7-11b-5; Design Standards, Mandatory Elements, and Table 4 of 7-14-5; Table of Minimum Residential Dwelling Unit Size regarding the number of parking spaces, guest parking, exception to the garage requirement, garage sizes and the use of garage spaces to count towards required parking.
6. **Public Hearing and Recommendation** proposed amendment to Tooele City Code 7-19-35, Minor Residential Subdivision, Regarding Minor Subdivisions in Commercial and Industrial Zoning Districts
7. **Decision** on a Site Plan Review request by Howard Schmidt representing Ledger Cove, LLC to approve a Multi-Family Residential Site Plan on 15 acres boarding 1000 N. and Franks Drive in the MR-16 zoning district.
8. **Decision** on Preliminary Plat request by Dave Irving representing Zenith Development to approve the Lex Townhomes Lot 105 Subdivision Plat Amendment (Amending Lot 105 of The Lexington at Overlake Subdivision) located at the southwest corner of 1300 North and 680 West in the MR-16 zoning district.

**9. City Council Reports**

**10. Review and Decision** – Minutes of the Planning Commission meeting held April 23, 2025.

**11. Adjourn**

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

## STAFF REPORT

May 9, 2025

**To:** Tooele City Planning Commission

Business Date: May 14, 2025

**From:** Planning Division

Community Development Department

**Prepared By:** Kent Page, City Planner / Zoning Administrator

**Re: Old Hickory Building and Sheds – Conditional Use Permit Request**

Application No.: 2025044

Applicant: Kyle Mathews & Old Hickory Building and Sheds (contact: Colton Bain)

Property Owner: Mathew Holding Company, LLC

Project Name: Old Hickory Building and Sheds

Project Location: 1094 N. Main Street

Zoning: GC (General Commercial)

Acreage: 0.4

Request: Conditional Use Permit approval to allow an “Accessory Outdoor Sales and Display Incidental to an Allowed Use”

### **BACKGROUND**

Kyle Mathews & Old Hickory Building and Sheds (contact: Colton Bain) are requesting a Conditional Use Permit to display and sell sheds and storage units at 1094 N. Main Street. Staff has interpreted this use as an “Accessory Outdoor Sales and Display Incidental to an Allowed Use”. This use requires a Conditional Use permit in the General Commercial zoning district which the property located at 1094 N. Main Street is currently zoned.

### **ANALYSIS**

Zoning. The subject property is in the GC, General Commercial zoning district (see Exhibits A & B). An “Accessory Outdoor Sales and Display Incidental to an Allowed Use” is an allowable use in the General Commercial zoning district but requires a Conditional Use permit approved by the Planning Commission.

The purpose of the General Commercial zoning district is:

“intended and provided to encourage the establishment of a wide variety of retail commercial uses, service commercial activities, entertainment and other services and activities meeting the needs of the residents of the City. The General Commercial District (GC) allows and encourages that retail and service businesses and related uses be grouped together into commercial centers. The uses and activities allowed in this District should enhance employment opportunities, provide for commercial activities and services required by residents of the city and surrounding areas, encourage the efficient use of land, enhance property values and add to the overall strength of the city’s tax base.”

Tooele City defines a commercial “Accessory Outdoor Sales and Display” as follows: “The placement outside of a building of items or sale which are ordinarily available for sale at the location within a building or structure”. The selling of sheds and storage units is a retail use that is an allowed/permitted use in the General

Commercial zoning district.

Properties to the south, west, and north are also zoned General Commercial. The adjacent property to the east is zoned Light Industrial. The property uses of adjacent properties are: north (across 1100 North) - fast food restaurant, east – Big Shots Taxidermy; south – automotive repair; and west – Main Street / SR 36.

Considerations for this Conditional Use are: 1) the size and the location of the parking stalls and 2) the placement of the display sheds and storage units. A Site Plan meeting all City definitions of a Site Plan is not a requirement for a Conditional Use Permit. A Conditional Use Permit is an approval of a land use at this location. To determine if this proposed land use is acceptable to this location, a type of site plan is needed, showing the size and the number of parking stalls, and the location of the display sheds and storage units (with separation distances) in relation to the current building on site and the adjacent properties and roadways.

### **Site Plan**

The application has provided a Site Plan shown in Exhibit C; however, staff, including the City Engineer, recommend that the applicant address concerns and questions detailed in the City Engineer's review of the Site Plan in Exhibit D. Staff recommends that the required parking should be based on General Retail Sales at one stall per each 300 square feet of building (the building is currently unoccupied). The building contains 2,694 square feet so the required number of parking stalls is nine; the Site Plan shows eight stalls.

*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:

## **REVIEWS**

*Planning Division Review.* The Tooele City Planner has completed his review of the Conditional Use Permit submission and has issued a recommendation to **table** the request with the following comments:

1. While this is not an application for a Site Plan approval, a type of site plan needs to be provided to assist the Planning Commission in identifying any impacts to adjacent properties and roadways. The provided site plan should be revised and refined to address the required size and location of parking stalls and the displayed sheds and storage units, and the protection of the 40-foot clear view zone.
2. The application should contain evidence of the fire department's approval of the site plan more than saying that a "shed area of 70' x 15' spacing between for fire department".

*Engineering Review.* The City Engineer provides the following comments regarding the Site Plan:

1. One of the six parking stalls will need to be eliminated; the building entrance requires access without a parking stall.
2. The dimensions of the parking stalls need to show a minimum width of 9 feet and a minimum length of 18 feet if there is an acceptable overhang or 20 feet if against a wall or fence with no overhang.
3. A 40-foot clear view triangle should be shown at the intersection of Main Street and 1100 North so no sheds and equipment are placed within.
4. The minimum separation between sheds, as required for fire access, should be identified.
5. Per ADA regulations, the first ADA stall on site should be van accessible which requires a 16-foot minimum width for the stall and aisle, combined.
6. One of the stalls is located where there will be a tight angle to park in and out of.

*Public Works Review.* Public Works has not been asked to provide a review.

*Tooele City Fire Department Review.* Nick Wall, Assistant Fire Chief / Fire Marshall, provides these comments: "Maintain appropriate fire and emergency access throughout the site. Adhere to any applicable separation distances for building and accessory structures".

*Noticing.* Notice of the public hearing has been properly posted and issued as outlined in the City and State Codes.

No comments or questions from the public have been received. Exhibit E shows the properties highlighted that received notification of this public hearing.

## **STAFF RECOMMENDATION**

Staff recommends **TABLING** this agenda item to provide the applicant with time to address all questions and concerns described in this staff report.

## **MODEL MOTIONS**

Sample Motion for Approval – “I move we APPROVE the request for Conditional Use Permit, application #2025044 by Kyle Mathew & Old Hickory Building and Sheds representing Mathews Holding Company, LLC to permit the use of “Accessory Outdoor Sales and Display Incidental to an Allowed Use” on property addressed at 1094 N. Main Street in the General Commercial zoning district based on the findings of fact and subject to the conditions listed in the Staff Report dated May 9, 2025.”

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 #2025044 by Kyle Mathew & Old Hickory Building and Sheds representing Mathews Holding Company, LLC to permit the use of “Accessory Outdoor Sales and Display Incidental to an Allowed Use” on property addressed at 1094 N. Main Street in the General Commercial zoning district based on the findings of fact and subject to the conditions listed in the Staff Report dated May 9, 2025.”

1. List any findings of fact

EXHIBIT A: AERIAL



EXHIBIT B: ZONING



1094 N Main St  
Tooele, UT 84074  
Parcel ID: 08-046-0-0032  
Lot area: 0.4 Acres  
Paper Size: 11"x17"



scale 1"=20'



*Disclaimer*

This is not a Legal Survey, nor is it intended to be or replace one.

These measurements are approximate and are for illustrative purposes only.

This work product represents only generalized location of features, objects or boundaries and should not be relied upon as being legally conclusive for the precise location of any feature, object or boundary.

## EXHIBIT C: SITE PLAN



# SITE PLAN

1094 N Main St

Tooele, UT 84074

Parcel ID: 08-046-0-0032

Lot area: 0.4 Acres

Paper Size: 11"x17"

Maintain appropriate fire and emergency access throughout the site. Adhere to any applicable separation distances for building and accessory structures.

ALL SHEDS AND EQUIPMENT MUST BE PLACED SO AS TO **NOT** BE WITHIN THE 40-FOOT SIGHT TRIANGLE AT THE INTERSECTION OF 1100 NORTH MAIN, OR OBSTRUCT VIEW FOR VEHICLES ENTERING OR EXITING THE SITE.

THE MINIMUM SEPARATION BETWEEN SHEDS, AS REQUIRED FOR FIRE ACCESS, SHOULD BE IDENTIFIED

PER ADA REGULATIONS, THE FIRST ADA STALL ON SITE SHOULD BE VAN ACCESSIBLE WHICH REQUIRES A 16-FOOT MIN. WIDTH FOR THE STALL AND AISLE, COMBINED.

PER TOOELE CITY CODE 7-4-10, STALL WIDTH SHOULD BE 9' MIN X 18' IF THERE IS ACCEPTABLE OVERHANG, AND

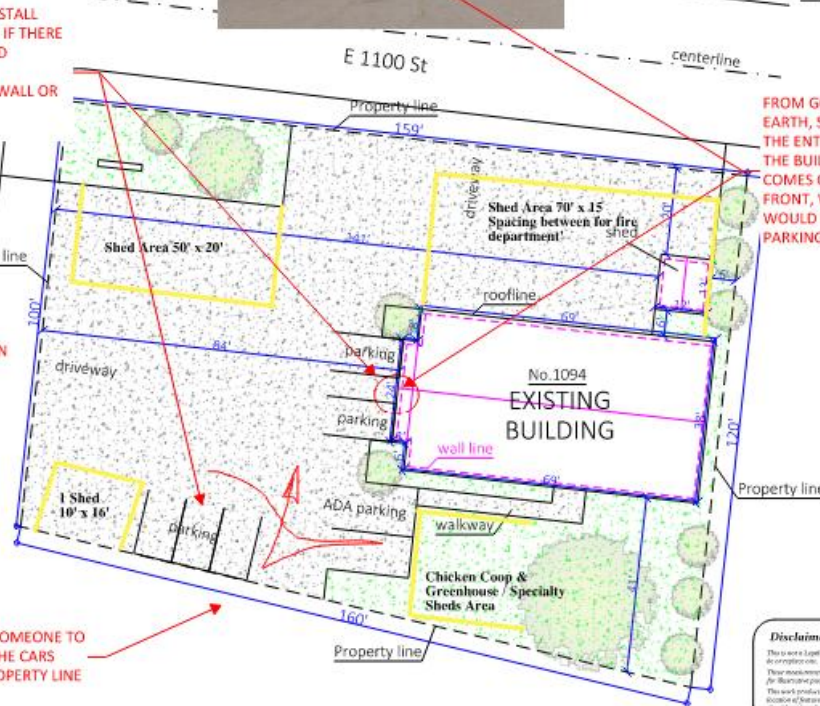
9' X 20' IF PARKING AGAINST A WALL OR FENCE WITH NO OVERHANG

THIS WILL BE VERY TIGHT FOR SOMEONE TO BACK OUT WITHOUT HITTING THE CARS PARKED ALONG THE SOUTH PROPERTY LINE



scale 1"=20'

FROM GOOGLE EARTH, STREET VIEW, THE ENTRANCE TO THE BUILDING COMES OFF THE FRONT, WHICH WOULD ELIMINATE 1 PARKING STALL



**Disclaimer**  
This is a site layout drawing, not a site plan or a construction plan.  
These drawings are not intended to be used for any other purpose.  
The work shown represents only general information and should not be used as a basis for any other work.  
The user assumes all responsibility for the proper use of the drawings.

EXHIBIT D: CITY ENGINEER'S SITE PLAN REVIEW

EXHIBIT E: NOTICING





## STAFF REPORT

May 19, 2023

**To:** Tooele City Planning Commission  
Business Date: May 14, 2023

**From:** Planning Division  
Community Development Department

**Prepared By:** Andrew Aagard, Community Development Director

**Re: Fire Station Business Park LUMA – Land Use Map Amendment Request**

Application No.: 2025042  
Applicant: Boyd Brown Representing Grow Development LLC  
Project Location: 249 East 1000 North  
Zoning: RR-5 Residential and LI Light Industrial Zone  
Acreage: 11.7 Acres  
Request: Request for approval of a Land Use Map Amendment to re-assign approximately 11.7 acres of land from the Medium Density Residential (MDR) Land Use Designation to the Light Industrial (LI) Land Use Designation.

### **BACKGROUND**

This application is a request for approval of a Land Use Map Amendment for approximately 11.7 acres located at 249 East 1000 North. The property is currently designated as Medium Density Residential (MDR). The applicant is requesting that the land use designation be re-assigned from MDR designation to the Light Industrial (LI) designation in order to facilitate a Zoning Map amendment to a zoning district that will ultimately permit the construction of a light industrial business park.

### **ANALYSIS**

General Plan and Zoning. The Land Use Map of the General Plan calls for the Medium Density Residential land use designation for the subject property. The property has been assigned the RR-5 Residential zoning district permitting 1 dwelling unit per each 5 acre lot. The RR-5 Residential zoning designation is NOT identified by the General Plan as a preferred zoning classification for the Medium Density Residential land use designation. Properties to the north and east are currently zoned RR-5 Residential. Properties to the south are zoned MR-8 and properties to the west are zoned LI Light Industrial. Mapping pertinent to the subject request can be found in Exhibit “A” to this report.

Tooele City ordinance 7-1A-5 requires that amendments to the zoning map shall be “consistent with the adopted Tooele City General Plan.” There are many elements to the General Plan that need to be considered but when it comes to Zoning Map amendments the element is the Land Use Map of the General Plan. Thus, before any zoning changes can be considered the proposed zoning change must first comply with the Land Use Map.

The subject property is an inverted “L” shaped property and extends north from 1000 North and turns east and extends east past the “Our House” assisted living facility. The new Tooele City Fire Station #3 rests immediately to the west of the subject property as does the Air Med helicopter ambulance facility. Properties to



the north of the subject property are vacant, undeveloped ground as are the properties to the east and some of the south.

This is the second time in the past year that a land use map amendment has been requested for this property. The first request was to re-assign the land use to High Density Residential to make way for a residential town house development. That application was denied by the City Council due to a lack of water. This request seeks to have the property re-assigned to Light Industrial to make way for development of the property as a light industrial business park specializing in spaces that can be used for office / warehousing for smaller businesses. This type of use is commonly referred to as “flex space” and is very popular for smaller businesses needing a location to start up their enterprise.

The current land use designation of MDR requires one of three residential zones. The R1-7, R1-8 and R1-10 residential zoning districts. Uses permitted in these zones are commonly single-family residential homes, two family residential homes such as duplexes, churches, schools and some public utility uses. Commercial activities in these zones are permissible only as Home Occupations and may only operate as an ancillary use to the main residential use in the structure.

The proposed land use designation of LI is the complete opposite of the MDR designation. The LI land use designation requires the LI Light Industrial or the IS Industrial Service Zones. These zoning districts cater to smaller scale industrial activities and heavier scale commercial activities that do not generate significant impacts to neighboring property owners in terms of noise, vibrations, odors, dust, glare and so forth.

Currently, there are no residential uses in close proximity to the subject property. The Our House assisted living facility is residential in nature, however, the zoning of this property is GC General Commercial.

Site Plan Layout. The applicant has provided some site plans and those plans are provided for the Council’s reference. Please keep in mind that this site plan has not been reviewed for compliance with the City’s development standards and ordinances and should not be viewed as the final product, if this Land Use Map Amendment is approved. These plans will still need to undergo full site plan design review.

Subdivision Layout. This is an existing parcel of record.

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

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

## **REVIEWS**

*Planning Division Review.* The Tooele City Planning Division has completed their review of the Land Use Map Amendment submission and has not issued any comments concerning this application.

*Engineering and Public Works Divisions Review.* The Tooele City Engineering and Public Works Divisions have completed their reviews of the Land Use Map Amendment submission and have not issued any comments concerning this application.

*Tooele City Fire Department Review.* The Tooele City Fire Department has completed their review of the Land Use Map Amendment submission and has not issued any comments concerning this request.

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

## **STAFF RECOMMENDATION**

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

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

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

## **MODEL MOTIONS**

Sample Motion for a Positive Recommendation – “I move we forward a positive recommendation to the City Council for the Fire Station Business Park Land Use Map Amendment request by Boyd Brown, representing Grow Development, LLC to re-assign the land use for 11.7 acres from Medium Density Residential to Light Industrial, application number 2025042, based on the findings listed in the Staff Report dated May 9, 2025:”

1. List any additional findings and conditions...

Sample Motion for a Negative Recommendation – “I move we forward a negative recommendation to the City Council for the Fire Station Business Park Land Use Map Amendment request by Boyd Brown, representing Grow Development, LLC to re-assign the land use for 11.7 acres from Medium Density Residential to Light Industrial, application number 2025042, based on the findings listed in the Staff Report dated May 9, 2025

1. List findings...

**EXHIBIT A**

**MAPPING PERTINENT TO THE FIRE STATION BUSINESS PARK LAND USE MAP  
AMENDMENT**

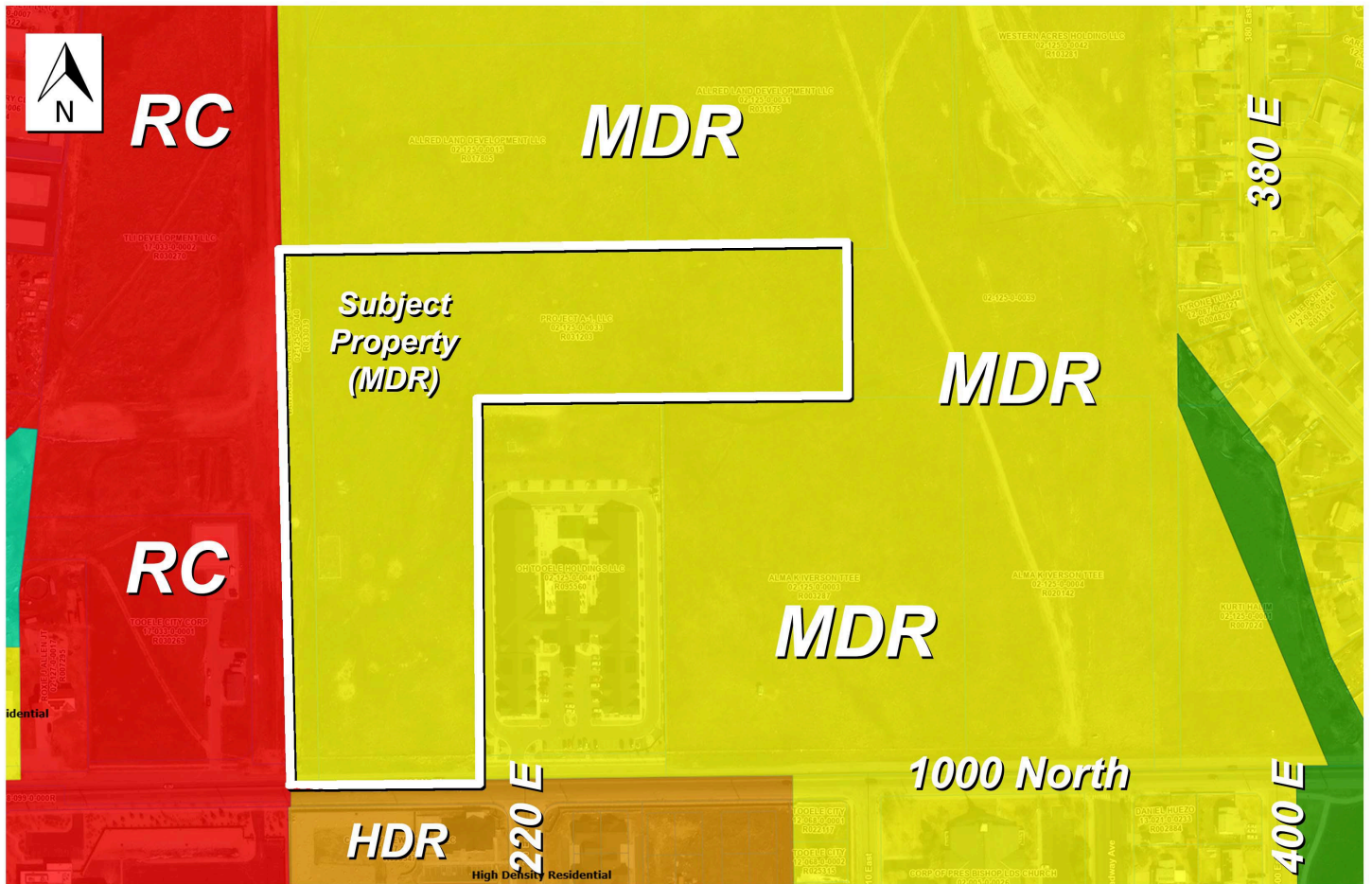
***Fire Station Business Park Land Use Map Amendment***



***Aerial View***

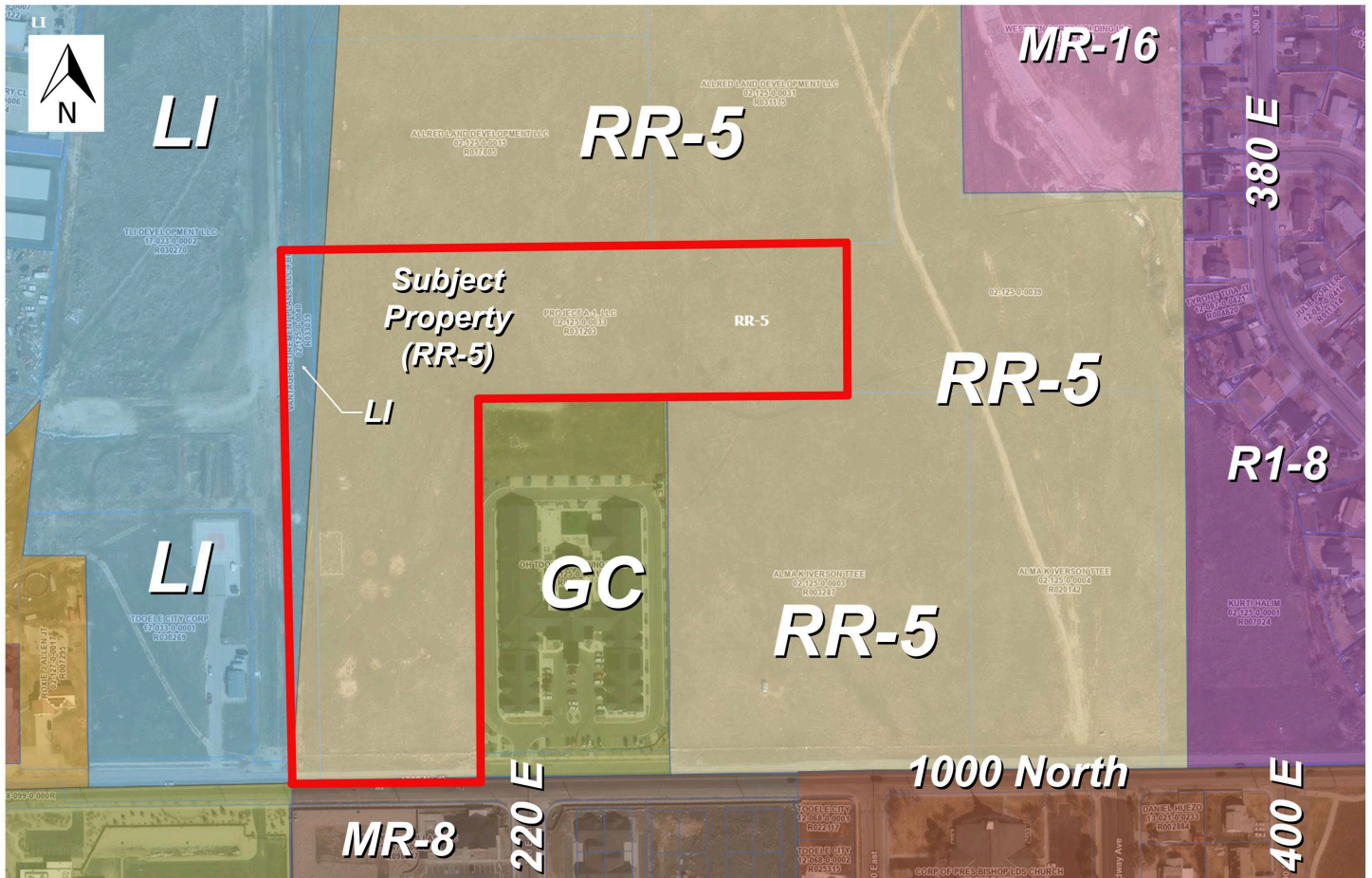


# Fire Station Business Park Land Use Map Amendment



**Current Land Use**

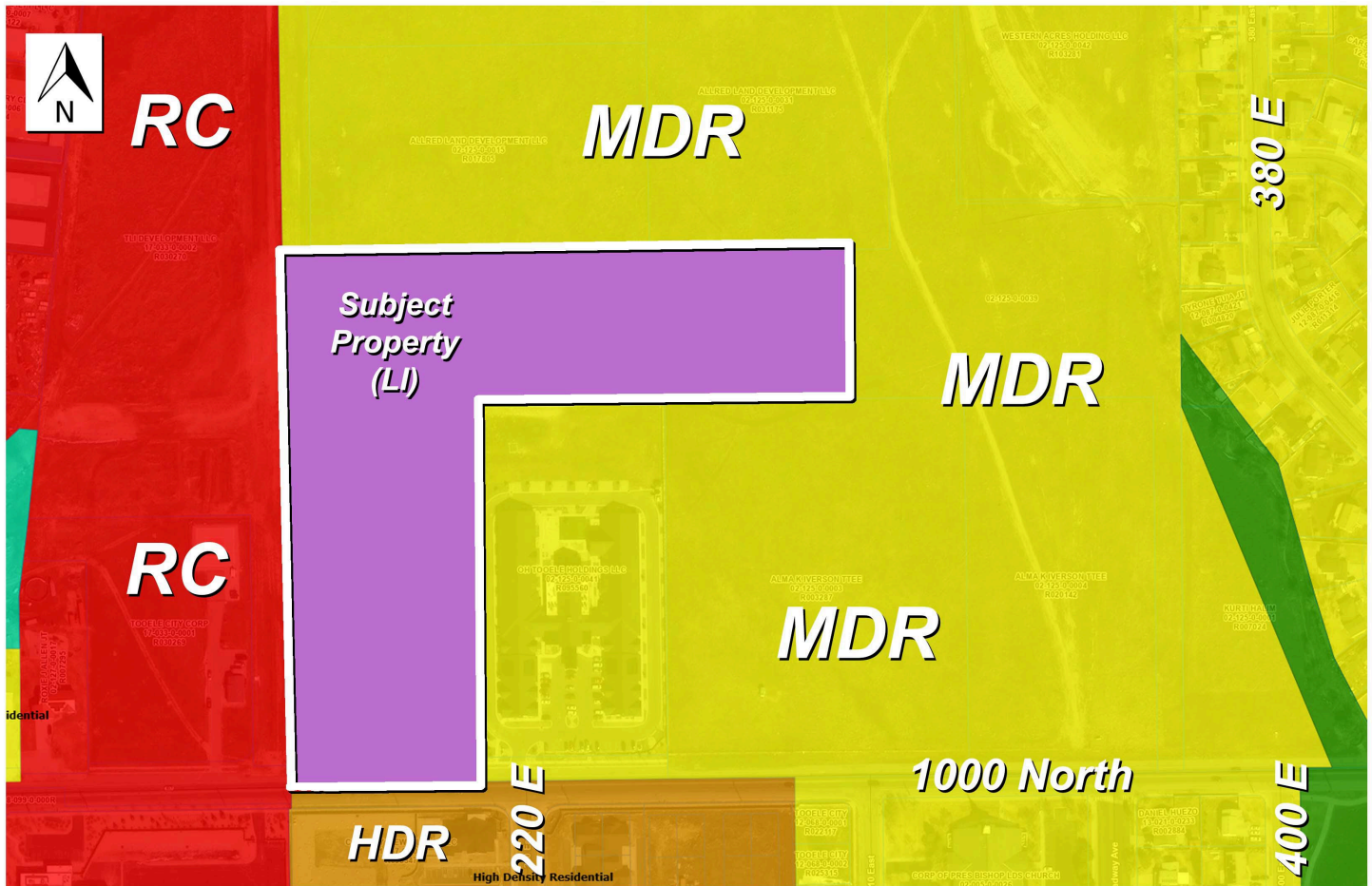
# Fire Station Business Park Land Use Map Amendment



**Current Zoning**



# ***Fire Station Business Park Land Use Map Amendment***



***Proposed Land Use***

**EXHIBIT B**

**APPLICANT SUBMITTED INFORMATION**



# 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](http://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.

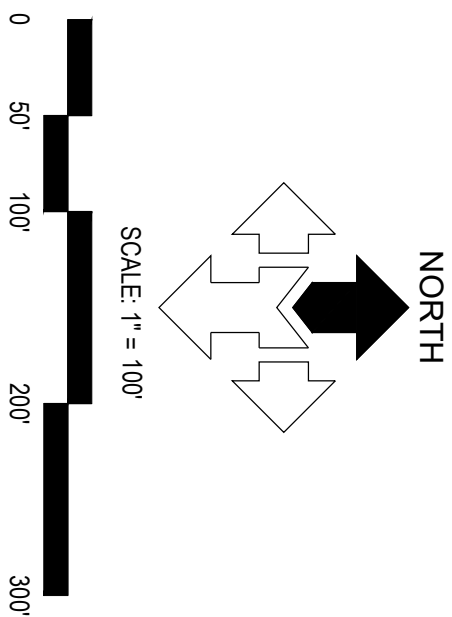
Project Information					
Date of Submission: 4/15/2025		Current Land Use Designation: vacant		Proposed Land Use Designation: Light Industrial	
Parcel #(s): 02-125-0-0033 02-125-0-0040				Acres: 11.7	
Project Name: Fire Station Business Park					
Project Address: 249 East 1000 North, Tooele, UT 84074					
Brief Project Summary:  We would like to build a business park within the light industrial zone. Inside of our park we see a great opportunity for local businesses that serve the area. We intend to have a mix of flex space, office warehouse, some office and potentially some retail along 1000 North. The building sizes would range between 10,000 and 40,000 feet and likely could be demised to users as small as 2,500 feet.					
Property Owner(s): Project A-1 LLC (0033) and Vantage IRA (0040)			Applicant(s): Grow Development, LLC		
Address: 10808 S RIVERFRONT PKWY, STE #3059			Address: 1265 E Fort Union Blvd Suite 301		
City: South Jordan	State: UT	Zip: 84095	City: Midvale	State: UT	Zip: 84047
Phone: 801.979.1353			Phone: 801.326.8886		
Contact Person: Boyd Brown			Address: 1265 E Fort Union Blvd Suite 301		
Phone: 801.598.5838			City: Midvale	State: UT	Zip: 84047
Cellular:	Fax:		Email: boyd@kw.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.

For Office Use Only			
Received By:	Date Received:	Fees:	App. #:



REZONE PROPERTY BOUNDARY DESCRIPTION

BEGINNING AT THE SOUTHWEST CORNER OF SECTION 15, TOWNSHIP 3 SOUTH, RANGE 4 WEST, SALTLAKE BASIN AND MERIDIAN, AND RUNNING ALONG THE SECTION LINE N 0°21'56" W 1284.76 FEET; THENCE N 89°38'04" E 50.00 FEET; THENCE S 0°21'56" E 364.83 FEET; THENCE N 89°43'06" E 330.00 FEET TO THE SECTION CORNER AND POINT OF BEGINNING.

CONTAINS 480.838 SQ. FT. OR 11.2880 ACRES



8610 South Sandy Parkway, Suite 200 Sandy, Utah 84070 801.255.7700 mcneilengineering.com

Civil Engineering • Consulting & Landscape Architecture  
Structural Engineering • Land Surveying & HDS

TOOELE LI SUBDIVISION REZONE

200 E 1000 N STREET  
TOOELE, UTAH

REVISIONS

REV	DATE	DESCRIPTION
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

PROJECT NO: 22383

DRAWN BY: RJP

CHECKED BY: RJP

DATE: 4-16-2025

LIGHT  
INDUSTRIAL  
REZONE EXHIBIT

C1.00







## Tooele Light Industrial - Example Products







Date: April 17, 2025  
To: Tooele City  
From: Grow Development LLC  
RE: Land Use Map Amendment Application  
Parcel #'s: 02-125-0-0033; 01-125-0-0040

### **General Plan Map Questioner**

**1. What is the present land use designation of the subject property(s)?**

Medium Density Residential.

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

The proposed land use for the property East of our project is designated Regional Commercial. Within that land use designation, the allowable use includes Light Industrial which will be the primary business types we are proposing for our development. Our request is for the Regional Commercial Land Use Designation, and we will pursue the Light Industrial Zone. Our development provides an ideal transition from the Regional Commercial area into the denser residential developments planned further east. Given the abundance of Regional Commercial designations in this part of the city, our project adds a valuable mix of uses. This will strengthen Tooele City's employment base and will encourage the incubation of small businesses within the Light Industrial zone.

**3. What do you anticipate the land being used for?**

We intend to develop a business park composed mainly of office-warehouse buildings offered in various sizes. The buildings will accommodate businesses needing spaces anywhere from 2,500 up to 50,000 square feet. We plan to offer both for-sale and for-lease options for the users to meet a wide range of needs.

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

This type of product is in high demand and is highly desired for a wide range of entrepreneurs, startup businesses, and all types of industries. Our development supports surrounding residential growth by providing nearby employment and commercial opportunities. Additionally, during development, 180 East will be constructed which will serve as an important component of the City's master transportation plan. This new infrastructure will create better connectivity between 1000 North, 1100 North, and 1280 North leading back to Main Street. Improved circulation will benefit neighboring properties still designated Medium Density Residential and support the development of new rooftops in the area. In the long term, it could help reduce



traffic in and out of the city by enabling businesses that serve the local community to establish themselves nearby instead of in Salt Lake County.

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

As outlined above, this land use change aligns with several of the City's stated goals: fostering economic development, increasing local employment, reducing regional traffic, reducing workforce leaving the city to Salt Lake, and supporting population growth. We believe the City will see value in this opportunity to expand commercial property development in a way that benefits the broader community.

Grow Development has had experience developing residential, commercial and industrial projects across the Wasatch Front, but we are elated to have this be our first development with Tooele City. In our research regarding this proposed Light Industrial product, we feel it will become a new economic hub for Tooele City. It will be a place where all types of businesses and users will be represented, from the working-class trade partners supporting the strong construction industry in Tooele City, to the families / kids of Tooele City utilizing a gym, dance or sports business, and everything in between. We are honored with the opportunity to be a new Development Partner with Tooele City. We look forward to our future working together on this amazing development.

A handwritten signature in cursive script that reads "Boyd Brown". The signature is written in black ink and is positioned above a horizontal line.

Boyd Brown  
President  
Grow Development



Date: April 17, 2025  
To: Tooele City  
From: Grow Development LLC  
RE: Land Use Map Amendment Application  
Parcel #'s: 02-125-0-0033; 01-125-0-0040

### **General Plan Map Questioner**

**1. What is the present land use designation of the subject property(s)?**

Medium Density Residential.

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

The proposed land use for the property East of our project is designated Regional Commercial. Within that land use designation, the allowable use includes Light Industrial which will be the primary business types we are proposing for our development. Our request is for the Regional Commercial Land Use Designation, and we will pursue the Light Industrial Zone. Our development provides an ideal transition from the Regional Commercial area into the denser residential developments planned further east. Given the abundance of Regional Commercial designations in this part of the city, our project adds a valuable mix of uses. This will strengthen Tooele City's employment base and will encourage the incubation of small businesses within the Light Industrial zone.

**3. What do you anticipate the land being used for?**

We intend to develop a business park composed mainly of office-warehouse buildings offered in various sizes. The buildings will accommodate businesses needing spaces anywhere from 2,500 up to 50,000 square feet. We plan to offer both for-sale and for-lease options for the users to meet a wide range of needs.

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

This type of product is in high demand and is highly desired for a wide range of entrepreneurs, startup businesses, and all types of industries. Our development supports surrounding residential growth by providing nearby employment and commercial opportunities. Additionally, during development, 180 East will be constructed which will serve as an important component of the City's master transportation plan. This new infrastructure will create better connectivity between 1000 North, 1100 North, and 1280 North leading back to Main Street. Improved circulation will benefit neighboring properties still designated Medium Density Residential and support the development of new rooftops in the area. In the long term, it could help reduce



traffic in and out of the city by enabling businesses that serve the local community to establish themselves nearby instead of in Salt Lake County.

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

As outlined above, this land use change aligns with several of the City's stated goals: fostering economic development, increasing local employment, reducing regional traffic, reducing workforce leaving the city to Salt Lake, and supporting population growth. We believe the City will see value in this opportunity to expand commercial property development in a way that benefits the broader community.

Grow Development has had experience developing residential, commercial and industrial projects across the Wasatch Front, but we are elated to have this be our first development with Tooele City. In our research regarding this proposed Light Industrial product, we feel it will become a new economic hub for Tooele City. It will be a place where all types of businesses and users will be represented, from the working-class trade partners supporting the strong construction industry in Tooele City, to the families / kids of Tooele City utilizing a gym, dance or sports business, and everything in between. We are honored with the opportunity to be a new Development Partner with Tooele City. We look forward to our future working together on this amazing development.

A handwritten signature in cursive script that reads "Boyd Brown". The signature is written in black ink and is positioned above a horizontal line.

Boyd Brown  
President  
Grow Development



## STAFF REPORT

May 8, 2025

**To:** Tooele City Planning Commission

Business Date: May 14, 2025

**From:** Planning Division

Community Development Department

**Prepared By:** Andrew Aagard, Community Development Director

**Re:** City Parking Standards and Requirements – City Code Text Amendment Request

Applicant: Tooele City

Request: Request for approval of a City Code Text Amendment to Tooele City Code 7-4-4; Number of Parking Spaces, 7-11a-13.1; Parking – Townhouses, Condominiums, 7-11b-5; Design Standards, Mandatory Elements and Table 4 of 7-14-5; Table of Minimum Residential Dwelling Unit Size.

### **BACKGROUND**

This application is a request for approval of City Code Text Amendments in Tooele City Code Title 7 to bring Tooele City's automobile parking requirements for single-family residential and multi-family residential uses into compliance with recent mandates by the Utah State Legislature.

### **ANALYSIS**

Purpose. The legislature of the State of Utah has again flexed its legislative muscle and is again attempting to slap a "one size fits all" approach to how cities control development within the confines of their own boundaries. This time the State is tinkering with how a City controls parking, both for residents as well as guests.

Currently, Tooele City's residential parking standards are dependent upon the land use itself. Single-Family Residential parking requirements are greatly different than those of a multi-family residential apartment complex or a townhome development.

Single-Family Residential. Current Single-Family Residential Parking Requirements as required by Tooele City Code 7-4-4; Number of Parking Spaces:

1. Single-Family Dwelling – 2 parking spaces per unit.
2. Two-Family Dwelling (duplex) – 2 parking spaces per unit.

Tooele City Code 7-14-5, Table of Minimum Residential Dwelling Unit Size, requires that any dwelling structure in the R1-7, R1-8, R1-10, R1-12, R1-14, R1-30, RR-1, RR-5, RR-20 and MU-160 must have a double car garage. Single car or single carport are not permitted in any of these residential zones. This code does not specify a minimal garage size.

However, Tooele City Code 7-11b-5; Design Standards: Mandatory Elements, does require a minimum garage size. The ordinance requires the following of garages in all single-family residential zoning districts:

1. Interior wall to wall dimensions of 20 feet wide by 22 feet deep.

Multi-Family Residential. Current Multi-Family Residential parking requirements as established by Tooele City Code 7-4-4; Number of Parking Spaces:

1. Apartments – 2 parking spaces per unit, one must be covered parking.

2. Townhomes – 2 parking spaces per unit.
3. Visitor parking for both housing types – 1 space for every four dwelling units.

Tooele City Code 7-14-5, Table of Minimum Residential Dwelling Unit Size, has language for dwellings within all of the MR zoning districts but garages are not required. Dwelling size, however, is related to the type of parking provided.

Parking requirements for multi-family residential becomes a little more complicated. Tooele City Code 7-11a-13.1; Parking – Townhouses, Condominiums, has additional parking requirements for townhouses that are dependent upon the garage spaces provided and the length and width of the driveway for each unit.

1. Unit has a 1 car garage but no driveway = Does not count for required parking.
2. Unit has a 1 car garage and 1 car driveway = Counts as 1 parking space.
3. Unit has a 2 car garage with no driveway = Counts as 1 parking space.
4. Unit has a 2 car garage with one car driveway = Counts as 2 parking spaces.
5. Unit has a 2 car garage with two car driveway = Counts as 3 parking spaces (2 for unit, 1 for visitor).

State of Utah Required Changes. The State Legislature has made amendments to code section 10-9a-534; Regulation of Building Design Elements Prohibited – Regulation of Parking Spaces Prohibited – Exceptions. The following are the changes that were made:

1. Affordable Housing, as it pertains to this section, is defined as housing occupied or reserved for occupancy that is priced at 80% of the county median home price.
2. A municipality may not require that the dimensions of a single parking space for a one or two family dwelling or town home be:
  - a. More than 20 feet long if parking is unobstructed, enclosed or covered.
3. Restrict an unobstructed tandem parking space from satisfying two parking spaces as part of a minimum parking space requirement.
4. Restrict a two car garage from satisfying two parking spaces as part of a minimum parking space requirement.
5. A municipality may not require a garage for single-family housing attached or detached dwelling that is owner-occupied affordable housing meeting the 80% of County median home prices.

Proposed Amendments to the Tooele City Code. In order to be compliant with the mandates of the Utah State Legislature, Tooele City Staff are proposing the following amendments to the City Code where the code now conflicts with the State’s mandated parking requirements:

1. Amending Table 7-11a-13.1, as described above, to enable all enclosed garage spaces to officially count towards the established parking requirement.
2. Amending the guest parking requirement in 7-4-4 and increasing the guest parking requirement to 1 guest parking space for every 3 units.
3. Adding an exception to 7-11b-5; Design Standards; Mandatory Elements that states: “no garage is required for buildings that are owner occupied housing priced at 80% of the Tooele County median home price.”
4. Amending Table 7-1-4 – Parking Space Requirement Calculations, to increase the number of guest parking spaces required from 1 guest parking space for every 4 dwelling units to 1 guest parking space for every 3 dwelling units. Staff’s justification for this requirement will follow.
5. Adding an additional note and associate footnotes to Tooele City Code 7-14-5, Table of Minimum Residential Dwelling Unit Size that states: “No garage is required for dwelling units that are owner-occupied housing priced at 80% of the Tooele County median home price.”

It should be noted that the impetus behind staff’s proposal to increase the amount of guest parking stalls per unit is in response to the state’s mandate that all garaged spaces must count towards parking requirements. It is anticipated that many residents in town home developments will utilize their garage space as material storage, thus displacing the cars and requiring those cars to be parked elsewhere. Given the propensity for town home

owners to do this with their garages staff wants to ensure that there is additional parking available when and if personal garages used to satisfy required parking spaces become unavailable due to material storage in the garages.

Staff is confident that the proposed amendments will bring the City's automobile requirements into compliance with the new amendments.

Ordinances Affected. The following ordinance affects minor subdivisions:

1. Title 7; Uniform Zoning, Chapter 4, Off Street Parking Requirements.
2. Title 7: Uniform Zoning, Chapter 11a, Design Standards: Multi-Family Residential.
3. Title 7: Uniform Zoning, Chapter 11b, Design Standards: Single-Family Residential.
4. Title 7: Uniform Zoning, Chapter 14, Residential Zoning Districts.

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

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

## **REVIEWS**

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

1. Planning Staff as well as the City Attorney are confident that these amendments will bring Tooele City's automobile parking requirements into compliance with recent mandates by the Utah State Legislature.
2. The mandated parking changes are not good for Tooele City. The legislature treats all cities with a "one size fits all approach" and assumes that every city has a viable public transportation system as an alternative for residents to their automobiles. That is not the case in Tooele City. Public transit here is nearly non-existent making Tooele City residents highly dependent upon the automobile thus reinforcing the importance of Tooele City's parking requirements. In response to these mandatory changes, Staff have made steps to increase the number of guest parking stalls to compensate when townhouse residents displace their vehicles from their garages in favor of material storage.

Engineering & Public Works Review. The Tooele City Engineering Division and Public Works Division have not issued any comments regarding this proposed text amendment.

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

### **STAFF RECOMMENDATION**

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

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

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

### **MODEL MOTIONS**

Sample Motion for a Positive Recommendation – “I move we forward a positive recommendation to the City Council for the proposed amendments to Tooele City Codes 7-4-4; Number of Parking Spaces, 7-11a-13.1; Parking – Townhouses, Condominiums, 7-11b-5; Design Standards, Mandatory Elements and Table 4 of 7-14-5; Table of Minimum Residential Dwelling Unit Size, regarding the number of guest parking spaces, providing an exception to the garage requirement for affordable housing, defining affordable housing for parking purposes, reduction of garage depth requirements, and making all garage parking spaces satisfy parking requirements, based on the following findings:”

1. List findings ...

Sample Motion for a Negative Recommendation – “I move we forward a negative positive recommendation to the City Council for the proposed amendments to Tooele City Codes 7-4-4; Number of Parking Spaces, 7-11a-13.1; Parking – Townhouses, Condominiums, 7-11b-5; Design Standards, Mandatory Elements and Table 4 of 7-14-5; Table of Minimum Residential Dwelling Unit Size, regarding the number of guest parking spaces, providing an exception to the garage requirement for affordable housing, defining affordable housing for parking purposes, reduction of garage depth requirements, and making all garage parking spaces satisfy parking requirements, based on the following findings:”

1. List findings ...

**EXHIBIT A**

**PROPOSED ORDINANCE AMENDMENTS**

**7-4-4. Number of Parking Spaces.**

The number of required off-street parking spaces shall be calculated according to Table 7-4-1, subject to Section 7-4-5 herein.

Land Use	Parking Requirement
Accessory Uses	As determined by the Director
Auditoriums	1 space for every 3 seats
Bar, Tavern, and Private Club	1 space for every 3 seats or 1 space per 100 square feet of floor area (excluding kitchen, storage, etc.) whichever is more
Beauty Shop	
First patron station	2 spaces
Each additional station (excluding wash stations)	1 space
Churches and Places of Worship	1 space for every 3 seats in the primary assembly area
Commercial Center	1 space per 300 square feet
Commercial Day Care / Pre-School Center	1 space for every employee, plus 4 visitor spaces <sup>1</sup>
Convalescent Care Facility	1 space for every 4 patient beds, plus 1 space per employee

Dwelling <sup>2</sup>	
Single-Family	2 spaces per dwelling unit
Two-Family	2 spaces per dwelling unit
Dwelling, Multi-Family <sup>2, 4</sup>	
Apartments	2 spaces per DU
Townhouse/Condominium	2 spaces per DU
Dwelling, Visitor Parking <sup>3</sup>	1 space for every <u>3</u> 4 DU
Educational Facility	
Public Use	As determined by the Director
Private Use	As determined by the Director



### **7-11a-13.1. Design Standards: Parking-Townhouses, Condominiums.**

- (1) Townhouses and condominiums shall provide the number of off-street parking spaces required by Section 7-4-4 and Table 7-4-1 of this Title.
- (2) Fully-enclosed garages of minimum dimension of ~~2~~20 feet deep and 10 feet wide per garage space may count toward required off-street parking, as shown in Table 7-11a-13.1, below.
- (3) Driveways of minimum dimension of 20 feet long and 10 feet wide each may count toward required off-street parking, as shown in Table 7-11a-13.1, below.
- (4) Off-street parking spaces, including garages and driveways, associated with one unit shall not count toward the off-street parking spaces required for another unit.
- (5) Where a driveway is provided for a unit, a pedestrian walkway between the driveway and the unit primary entrance shall be provided.

Garage Space Scenario	Garage Space Counting Toward Parking
One-car garage without driveway	<del>0</del> <u>1</u> parking space
One-car garage with one-car driveway	1 parking space
Two-car garage without driveway	<del>1</del> <u>2</u> parking spaces
Two-car garage with one-car driveway	2 parking space
Two-car garage with two-car driveway	<del>3</del> <u>4</u> parking spaces (i.e. 2 for unit + <del>1</del> <u>2</u> visitor)

Table 7-11a-13.1

(Ord. 2022-31, 08-17-2022)

#### **7-11b-5. Design Standards: Mandatory Elements.**

The following design elements shall be required:

##### **(7) Garages.**

(a) Each Building shall include a garage with interior minimum interior dimensions of 20 feet wide by 22 feet deep.

(b) The depth of a garage shall be defined as being measured perpendicular from the vehicular door to the rear wall of the garage.

(c) Exception: no garage is required for buildings that are owner-occupied housing priced at 80% of the Tooele County median home price.

**Table 4: Minimum Dwelling Unit Size**

Zoning District	ONE STORY (includes Split Level and Split Entry)						TWO STORY (Total Both Levels)		
	With Single Covered Parking <sup>4</sup>		With Single Garage <sup>4</sup>		With Double + Garage <sup>4</sup>		With Single Covered Parking <sup>4</sup>	With Single Garage <sup>4</sup>	With Double + Garage <sup>4</sup>
	1 bedroom units <sup>2</sup>	2+ bedroom units	1 bedroom units <sup>2</sup>	2+ bedroom units	1 bedroom units <sup>2</sup>	2+ bedroom units			
MR-20 <sup>3</sup>	700	850	700	800	700	800	1000	1000	1000
MR-16 <sup>3</sup>	700	850 <sup>1</sup>	700	800 <sup>1</sup>	700	800 <sup>1</sup>	1250	1165	1100
MR-12 <sup>3</sup>	700	850	700	800	700	800	1300	1200	1100
MR-8 <sup>3</sup>	700	850	700	800	700	800	1350	1250	1125
R1-7	Not Permitted		Not Permitted		800		Not Permitted	Not Permitted	1125
R1-8	Not Permitted		Not Permitted		800		Not Permitted	Not Permitted	1250
R1-10	Not Permitted		Not Permitted		1300		Not Permitted	Not Permitted	1625
R1-12	Not Permitted		Not Permitted		1350		Not Permitted	Not Permitted	1685
R1-14	Not Permitted		Not Permitted		1350		Not Permitted	Not Permitted	1685
R1-30	Not Permitted		Not Permitted		1350		Not Permitted	Not Permitted	1685
RR-1	Not Permitted		Not Permitted		1350		Not Permitted	Not Permitted	1685
RR-5	Not Permitted		Not Permitted		1350		Not Permitted	Not Permitted	1685

RR-20	Not Permitted	Not Permitted	1350	Not Permitted	Not Permitted	1685
MU-160	Not Permitted	Not Permitted	1350	Not Permitted	Not Permitted	1685

Table 7-14 Minimum Dwelling Unit Size

(Ord. 2022-22, 07-06-2022)

<sup>1</sup> The minimum dwelling unit size for a multi-family residential project proposed as a redevelopment of a registered historical building shall be 400 square feet when approved by the Planning Commission through design review in compliance with Title 7 Chapter 11 of the Tooele City Code.

(Ord. 2020-39, 09-16-2020) (Ord. 2019-08, 03-20-2019) (Ord. 2018-13, 08-15-2018) (Ord. 2008-10, 07-02-2008) (Ord. 1999-07, 04-06-1999) (Ord. 2020-20, 05-06-2020)

<sup>2</sup> See Section 7-14-5.

(Ord. 2020-39, 09-016-2020)

<sup>3</sup> For Multi-Family Dwelling Units Directly Associated with Residential Support Programs See Section 7-11a-2.

<sup>4</sup>No garage is required for dwelling units that are owner-occupied housing priced at 80% of the Tooele County median home price.

(Ord. 2021-35, 09-15-2021)

## STAFF REPORT

May 8, 2025

**To:** Tooele City Planning Commission  
Business Date: May 14, 2025

**From:** Planning Division  
Community Development Department

**Prepared By:** Andrew Aagard, Community Development Director

**Re:** Minor Residential Subdivision – City Code Text Amendment Request

Applicant: Tooele City

Request: Request for approval of a City Code Text Amendment to Tooele City Code 7-19-35; Minor Residential Subdivisions.

### BACKGROUND

This application is a request for approval of City Code Text Amendments in Tooele City Code Title 7 to authorize and clarify minor subdivisions in commercial and industrial zoning districts.

### ANALYSIS

*Purpose.* If a subdivision meets the criteria established in the code the subdivision can then forego the preliminary subdivision plan application process and the final subdivision plat application process and combine both of processes into one application. This saves the applicant money in that only one set of drawings needs to be produced and it saves the applicant time in that only one application needs to receive City and County approvals rather than go through the process two times. It is a valuable tool in the City's tool belt to help facilitate in-fill development.

The problem that has been encountered is that the ordinance is titled minor RESIDENTIAL subdivisions and the first paragraph, paragraph 1, mentions minor RESIDENTIAL subdivision three additional times. What do we do with subdivisions in commercial zones and industrial zones that meet the exact same criteria? As the ordinance is currently structured, if a proposed subdivision meets all of the criteria set forth in this ordinance, a minor subdivision in a commercial or industrial zone would have to go through the preliminary and final subdivision platting processes. This is overkill and is completely unnecessary.

Historically, staff have processed a commercial or industrial minor subdivision in the same manner as a residential minor subdivision. That is until recently when we discovered that the code actually does not authorize a minor subdivision in commercial and industrial zoning districts.

There is no legitimate or identifiable reason why a minor subdivision in a commercial or industrial zoning district that does not require road dedication would need to go through a preliminary application and a final plat application. Utilities, water rights and impact fees are determined during site planning processes for commercial and industrial developments, not during the subdivision. In this regard, a minor subdivision is even more appropriate for a commercial or industrial zoning district.

Staff's proposed amendments are simple. We are proposing to simply strike the word RESIDENTIAL from the code where it appears four times. The code will then just read "minor subdivision" and would apply to all properties that are being subdivided, regardless of the zoning district or land use designation.

Ordinances Affected. The following ordinance affects minor subdivisions:

1. Title 7; Uniform Zoning, Chapter 19, Subdivision.

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

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

## **REVIEWS**

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

1. There is no identifiable reason as to why commercial and industrial subdivisions are exempted from the minor subdivision process.
2. Minor subdivisions are a valuable tool the City has to help developers, businesses and individuals reduce costs of development and stream line review processes into shorter review periods.

Engineering & Public Works Review. The Tooele City Engineering Division and Public Works Division have not issued any comments regarding this proposed text amendment.

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

## **STAFF RECOMMENDATION**

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

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

1. The effect the text amendment may have on potential applications regarding the character of the surrounding areas.
2. The degree to which the proposed text amendment may effect a potential application's



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

### **MODEL MOTIONS**

Sample Motion for a Positive Recommendation – “I move we forward a positive recommendation to the City Council for the Minor Residential Subdivisions Text Amendment request by Tooele City for the purpose of amending the Tooele City Code to enable Minor Subdivisions of land to occur for properties located in commercial and industrial zoning districts, based on the following findings:”

1. List findings ...

Sample Motion for a Negative Recommendation – “I move we forward a negative recommendation to the City Council for the Minor Residential Subdivisions Text Amendment request by Tooele City for the purpose of amending the Tooele City Code to enable Minor Subdivisions of land to occur for properties located in commercial and industrial zoning districts, based on the following findings:”

1. List findings ...

**EXHIBIT A**

**NON STANDARD DIVISIONS OF LAND CODE AMENDMENT**

#### **7-19-35. Minor Residential Subdivision.**

(1) A minor ~~residential~~ subdivision may combine the preliminary subdivision and final subdivision requirements for approval of the subdivision into a single application and review process. A subdivision is considered a minor ~~residential~~ subdivision and exempt from a separate preliminary subdivision review process if:

- (a) it contains no more than six ~~residential~~ lots;
- (b) it does not contain a public right-of-way dedication; and,
- (c) it does not involve off-site water or sewer utilities.

(2) Information normally required as part of the preliminary and final subdivision applications may be required by the Community Development Department as part of a minor subdivision application.

(3) Land use authority. The land use authority for a minor subdivision shall be the same as for a ~~final subdivision.~~

(4) Appeal authority. The appeal authority for appeals from land use authority decisions on minor subdivisions shall be the same as for a final subdivision.

## STAFF REPORT

May 9, 2025

**To:** Tooele City Planning Commission  
Business Date: May 14, 2025

**From:** Planning Division  
Community Development Department

**Prepared By:** Kent Page, City Planner / Zoning Administrator

**Re: Ledger Cove Apartments – Site Plan Design Review & Approval**

Application No.: 23-576  
Applicant: Ledger Cove, LLC  
Contact: Howard Schmidt  
Property Owner: Ledger Cove, LLC  
Project Location: near intersection of 1000 N. & Franks Drive  
Zoning: MR-16  
Acreage: 15.98  
Request: Site Plan Design Review Approval for 228-unit multi-family residential development.

### **BACKGROUND**

The proposed Ledger Cove Apartments is a 228-unit rental project with townhomes and apartments on 15.98 acres between 1000 North / SR 112 on the south and Berra Blvd. on the north and Franks Drive on the west in the MR-16 Zone. The Site contains 108 apartment dwellings and 120 townhome dwellings.

### **ANALYSIS**

General Plan and Zoning. The Land Use Map of the General Plan calls for the High Density Residential land use classification for the subject property. The subject property is located in the MR-16 Multi-Family Residential zoning district. The MR-16 Multi-Family Residential zoning designation is identified by the General Plan as a preferred zoning classification for the High Density Residential land use classification. Properties located to the north are zoned MR-16, to the east are zoned R1-7, to the south are zoned MR-16 and General Commercial, and to the west are zoned Regional Commercial and Neighborhood Commercial. See Exhibit A and Exhibit B.

Site Plan Layout (Exhibit C). The application proposes the following number of residential buildings and number of dwelling units:

UNIT SUMMARY TABLE		
TYPE	BUILDING #	UNIT #
24-UNIT APARTMENT	4	96
12-UNIT APARTMENT	1	12
4-PLEX WITH DRIVE	5	20
6-PLEX WITH DRIVE	10	60
3-PLEX NO DRIVE	1	3
5-PLEX NO DRIVE	1	5
8-PLEX NO DRIVE	4	32
TOTAL SITE	26	228

The MR-16 zoning district allows up to 16 dwelling units per acre if all other site plan requirements are met. For 15.98 acres the maximum number of dwellings is 297.

The Site Plan layout shows the following parking:

<b>APARTMENT PARKING REQUIREMENTS</b>	
(4) 24 UNITS APARTMENTS	= 96 UNITS
(1) 12 UNITS APARTMENTS	= 12 UNITS
<b>TOTAL</b>	<b>= 108 UNITS</b>
<b>APARTMENT PARKING STALLS REQUIRED</b>	
108 UNITS*2 STALLS	= 216 STALLS
108 UNITS / 4 UNITS/1 STALL	= 27 STALLS
<b>TOTAL REQUIRED STALLS</b>	<b>= 243 STALLS</b>
REDUCTION TO PARKING -	
REQUIRED BY CODE. 8% NATURAL ADJUSTMENT RANGE. $115 * 0.08 =$	
9 STALLS	→ 10 stalls actually
<b>APARTMENT PARKING STALLS PROVIDED</b>	
COVERED	= 108 STALLS
STANDARD	= 108 STALLS
VISITOR PARKING	= 29 STALLS
<b>TOTAL PROVIDED</b>	<b>= 245 STALLS</b>
<b>TOWNHOME PARKING REQUIREMENTS</b>	
NO DRIVEWAY TOWNHOMES	= 40 UNITS
<b>PARKING STALLS REQUIRED</b>	
40 UNITS*2 STALLS	= 80 STALLS
40 UNITS / 4 UNITS/1 STALL	= 10 STALLS
<b>TOTAL REQUIRED STALLS</b>	<b>= 90 STALLS</b>
<b>PARKING STALLS PROVIDED</b>	
COVERED	= 40 STALLS
STANDARD	= 40 STALLS
VISITOR PARKING	= 13 STALLS
<b>TOTAL PROVIDED</b>	<b>= 93 STALLS</b>
<b>OTHER PARKING STALLS PROVIDED</b>	
LONG TERM/ TRAILER	= 10 STALLS
OTHER VISITOR PARKING	= 10 STALLS
<b>TOTAL PROVIDED</b>	<b>= 20 STALLS</b>

Development amenities shown in the Site Plan Layout are:

1. 1,000 sq. ft. outside covered social area (Pavilion)
2. Three pickleball courts (one with seating)
3. Swimming pool area
4. 2,800 sq. ft. Clubhouse
5. Tot Lot

Common area between buildings and the public streets will be landscaped. Landscaping and sidewalk will connect from the east side to the Clubhouse area. 1000 North, Berra Blvd., and Franks Drive will be lined with trees and shrubs. Landscaping will be a buffer between Ledger Cove Apartments and residential development to the east and commercial development (Franks Drive – Holiday Oil) to the west. Common areas will be maintained by the Homeowners' Association.

All interior roads will be private and will be maintained by the Homeowners' Association.

Setbacks. The project as proposed meets minimum requirements for setbacks in the MR-16 zoning district. The Design Standards in Chapter 7-11a allow for variation of front setbacks for multi-family dwelling buildings ranging between 10 and 20 feet as a minimum. The proposed site plan meets the setbacks requirements in 7-11a-6.

Landscaping. The Site Plan has approximately 170,000 sq. ft, or 26% of the total site, landscaped. The City requirement is at least 25%. Between 25% and 75% of the landscaping needs to be playable surface; staff estimates that the current Site Plan has approximately 18% playable surface (including pool area and pickleball courts). The application states that only 8% is playable surface area. Previous staff approved the landscaping plan, current staff asks the applicant to demonstrate greater compliance with:

(7) The landscaping plan for a Project shall consist of ground covers, shrubs and planting beds, and trees. Projects shall provide a landscaping plan that consists of at least 25% ground cover that is sod, grass or other surface material that provides a playable surface and a maximum of 75% may be planted with such ground covers. For the purpose of this calculation fall surfaces around play equipment may be considered as a playable ground cover surface.

Landscaping along the street frontages, and in front of apartment buildings and the townhomes contains the required amount, size, and classification of trees and shrubs.

Site Amenities. Multi-family residential developments are required to provide site amenities according to 7-11a-22. The proposed Site Plan meets the criteria of the Code with the development amenities listed above under "Site Plan Layout".

Parking. Each apartment and each townhome is required to provide two parking stalls plus one visitor parking stall for each dwelling. This Site Plan meets the requirement for each apartment to have one covered stall. The Site Plan meets parking requirements in providing half of the required parking stalls for the apartments and half of the required parking stalls for the townhomes as covered stalls. Of the 120 townhomes, 40 do not have a driveway; and, 80 have driveways that can park two vehicles on the (19.5' x 20') driveway and two vehicles in the (20' x 22') garage. Ledger Cove Apartments Site Plan exceeds the required number of parking stalls. The Site Plan includes 20 additional 9' x 18' uncovered parking stalls for long term/trailer or other visitor parking.

The total required number of apartment parking stalls is 243; the Site Plan provides 245. The total required number of townhome parking stalls is 90; the Site Plan provides 93. In addition, the Site Plan provides 20 other parking stalls for long term/trailer and other visitor parking. The parking stalls and parking lot dimensions meet City standards.



Driveway dimensions are 19.5' wide x 20' deep, and garage dimensions are 20' wide x 22'.

(Interestingly, 7-4-5 (2) allows developments with 101 parking spaces or more to increase or decrease the number of parking stalls provided without asking the Planning Commission for a formal modification. This Site Plan has not applied this optional adjustment.)

**Architecture.** The Clubhouse, each of the five apartment buildings, and all 120 townhomes meet Code requirements in 7-11a for Vertical Alignment, Horizontal Alignment, Windows, Building and Dwelling Unit Entries, Building Materials, and Color. Please see Exhibits E thru M.

The Site Plan application does not state or show the livable square footage or distinguish between one- or two-bedroom units. All of the townhomes are two-story, and all of the apartment buildings are three story.

Below is 7-14 Table 4 that specifies the minimum dwelling unit size for one story and two story homes in the MR-16 zoning district.

▼ **Table 4: Minimum Dwelling Unit Size**

Zoning District	ONE STORY (includes Split Level and Split Entry)						TWO STORY (Total Both Levels)		
	With Single Covered Parking		With Single Garage		With Double + Garage		With Single Covered Parking	With Single Garage	With Double + Garage
	1 bedroom units <sup>2</sup>	2+ bedroom units	1 bedroom units <sup>2</sup>	2+ bedroom units	1 bedroom units <sup>2</sup>	2+ bedroom units			
MR-20 <sup>3</sup>	700	850	700	800	700	800	1000	1000	1000
MR-16 <sup>3</sup>	700	850 <sup>1</sup>	700	800 <sup>1</sup>	700	800 <sup>1</sup>	1250	1165	1100

All of the townhomes are front loaded. The buildings as proposed include the necessary elements to ensure proper horizontal and vertical variation, the roof satisfies the 50-foot roof line requirement. Building exteriors incorporate large amounts of stone with some fiber-cement lap (Hardie Board siding) with the stone exceeding the 40% minimum requirements on all front and public street facing facades.

Building architecture as proposed for both building types (apartments and townhomes) meets or exceeds the minimum architectural requirements of the Tooele City codes.

**Signage.** Tooele City Multi-Family Residential design guidelines require a development entry sign at all development entrances. The site plan shows one development entry sign at each of the two entrances. Both entrances are off Berra Blvd. The entry sign will be 3' high and shall include lighting and opaque lettering. A separate sign permit will be applied per City's policy.

**Fencing.** Fencing is only required where a multi-family residential project is adjacent to a non-multi-family residential land use or zoning. The application shows the location and design of a fence that meets most 7-11a-17 Wall & Fence standards for multi-family (see Exhibit N). The application shows columns spaced 18' apart when the 7-11a-17 (4) allows a maximum of 10 foot spacing. Fencing is proposed bordering the commercial property to the west, along 1000 North Street, and separating the single-family zoning to the east.

*Criteria for Approval.* The criteria for review and potential approval of a Site Plan Design Review request is found in Sections 7-11-6, 8 and 9 of the Tooele City Code. This section depicts the standard of review for such requests as:

Site Plan or Site Plan Amendment 7-11-6, 8, and 9

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

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

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

Section 7-11-9. Considerations. The Planning Commission, or the City Engineer, when authorized, shall decide all applications for design review. Design approval may include such

conditions consistent with the considerations of [Chapter 7-11 TCC] as the Planning Commission or City Engineer deem reasonably necessary under the circumstances to carry out the intent of [Chapter 7-11 TCC].

## **REVIEWS**

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

1. The Site Plan's Landscaping should try to show greater compliance with the 7-11a-12 (7) requirement that at least 25% of the landscaping be playable surface. The Landscape Cover Sheet indicates that only 8% is playable.
2. The perimeter fence shown on sheet C-501 needs to have a maximum spacing between columns or piers of 10', the application shows 18' (see Exhibit N).
3. All floor plans need to be shown and meet 7-14 Table 4 requirements.

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

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

## **STAFF RECOMMENDATION**

Staff recommends approval of the request for a Site Plan Design Review by Howard Schmidt, representing Ledger Cove, LLC, application number 23-576, subject to the following conditions:

1. That all requirements of the Tooele City Engineering and Public Works Divisions shall be satisfied throughout the development of the site and the construction of all buildings on the site, including permitting.
2. That all requirements of the Tooele City Building Division shall be satisfied throughout the development of the site and the construction of all buildings on the site, including permitting.
3. That all requirements of the Tooele City Fire Department shall be satisfied throughout the development of the site and the construction of all buildings on the site.
4. That all requirements of the geotechnical report shall be satisfied throughout the development of the site and the construction of all buildings on the site.
5. The Site Plan's Landscaping should try to show greater compliance with the 7-11a-12 (7) requirement that at least 25% of the landscaping be playable surface. The Landscape Cover Sheet indicates that only 8% is playable.
6. The perimeter fence shown on sheet C-501 needs to have a maximum spacing between columns or piers of 10', the application shows 18' (see Exhibit N).
7. All floor plans need to be shown and meet 7-14 Table 4 requirements.

This recommendation is based on the following findings:

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

- City Code.
3. The proposed development plans will not be deleterious to the health, safety, and general welfare of the general public nor the residents of adjacent properties.
  4. The proposed development conforms to the general aesthetic and physical development of the area.
  5. The public services in the area are adequate to support the subject development.

### **MODEL MOTIONS**

Sample Motion for Approval – “I move we **approve** the Site Plan Design Review Request by Howard Schmidt representing Ledger Cover, LLC, to be located near the intersection of 1000 North Street and Franks Drive, application number 23-576, based on the findings and subject to the conditions listed in the Staff Report dated May 9, 2025:”

1. State any other additional finding and/or condition.

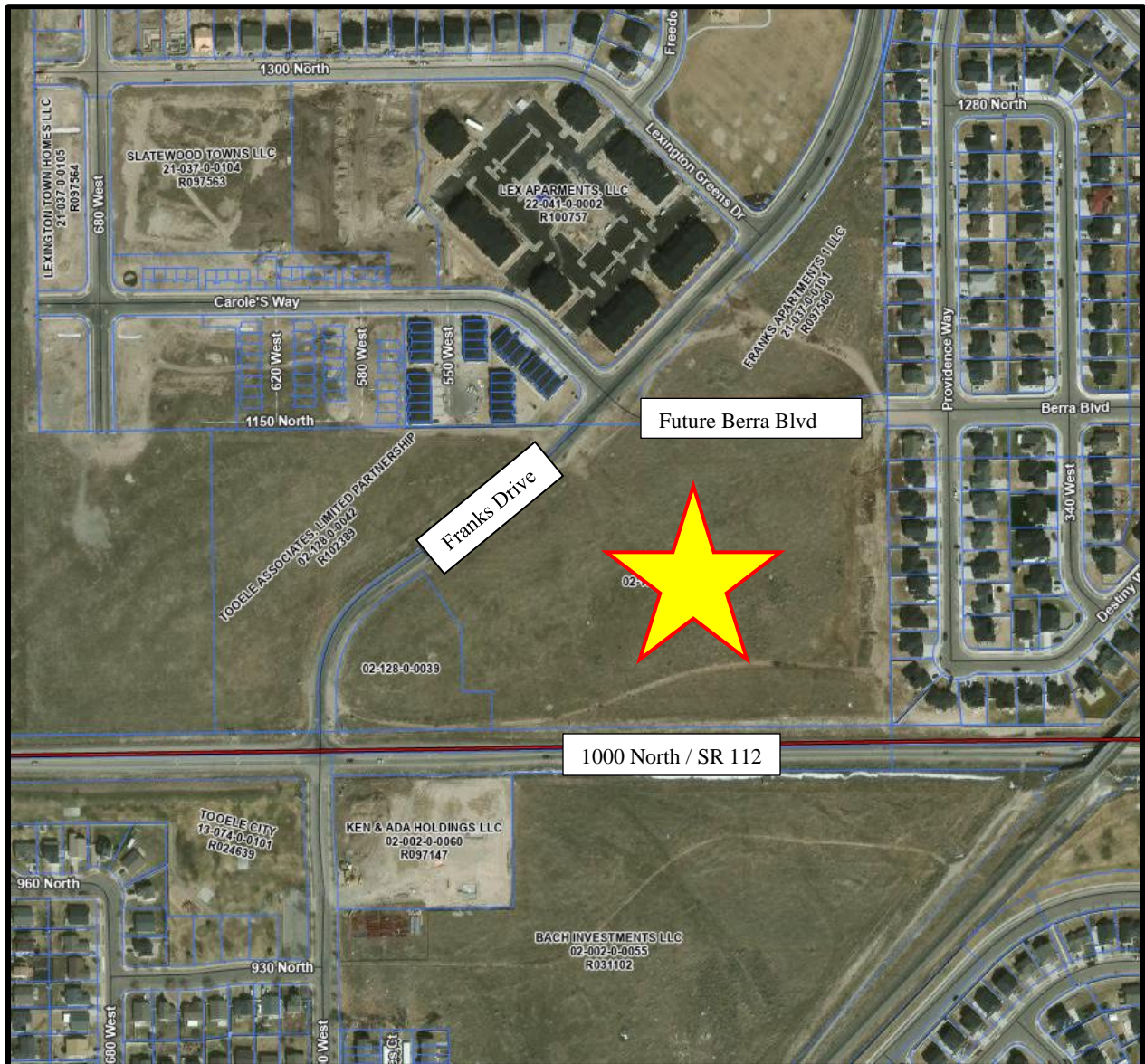
Sample Motion for Denial – “I move we **deny** the Site Plan Design Review Request by Howard Schmidt representing Ledger Cover, LLC, to be located near the intersection of 1000 North Street and Franks Drive, application number 23-576, based on the findings and subject to the conditions listed in the Staff Report dated May 9, 2025:”

1. State any other additional finding and/or condition.



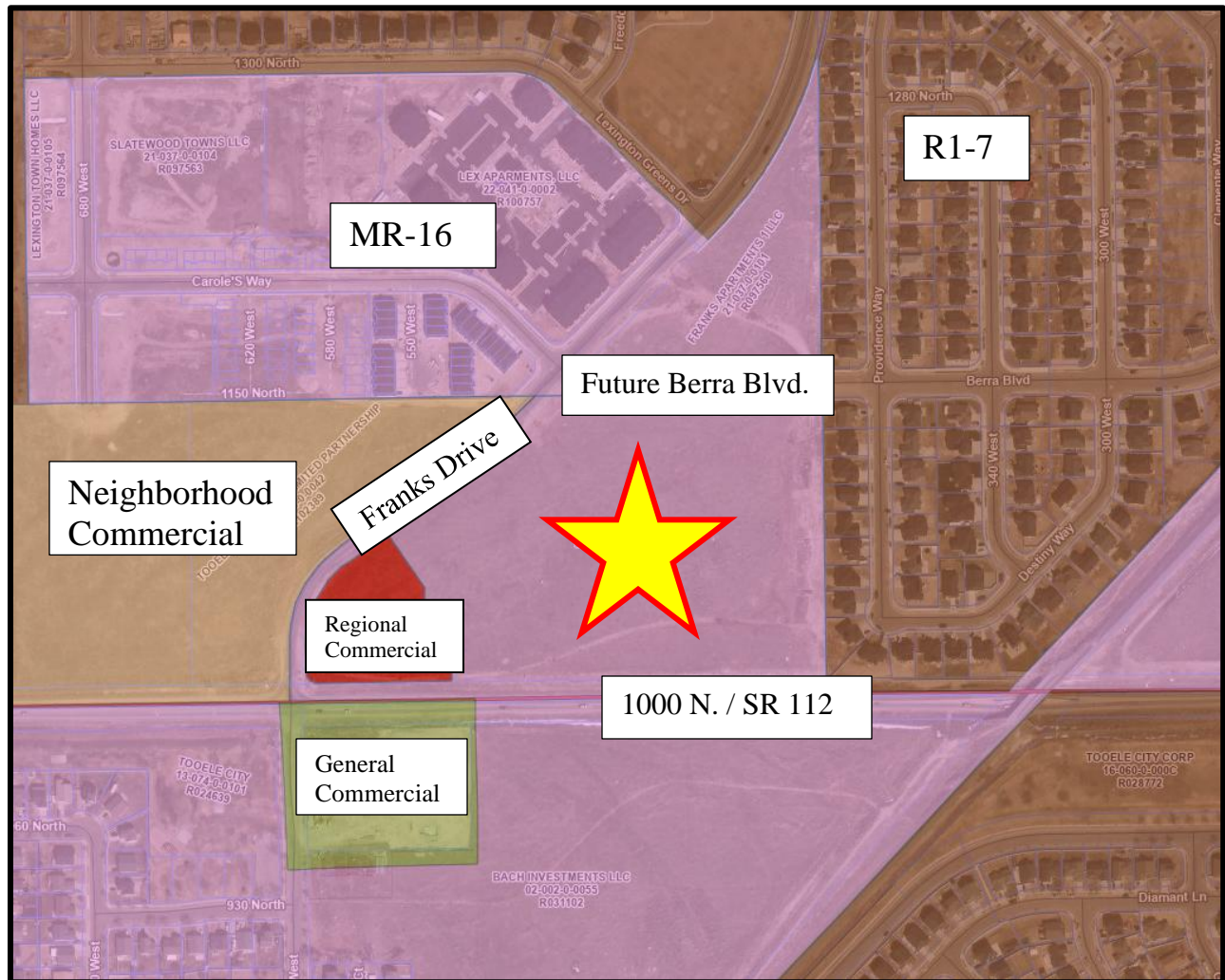
# EXHIBIT A

## AERIAL





## ZONING



## EXHIBIT C

### OVERALL SITE PLAN

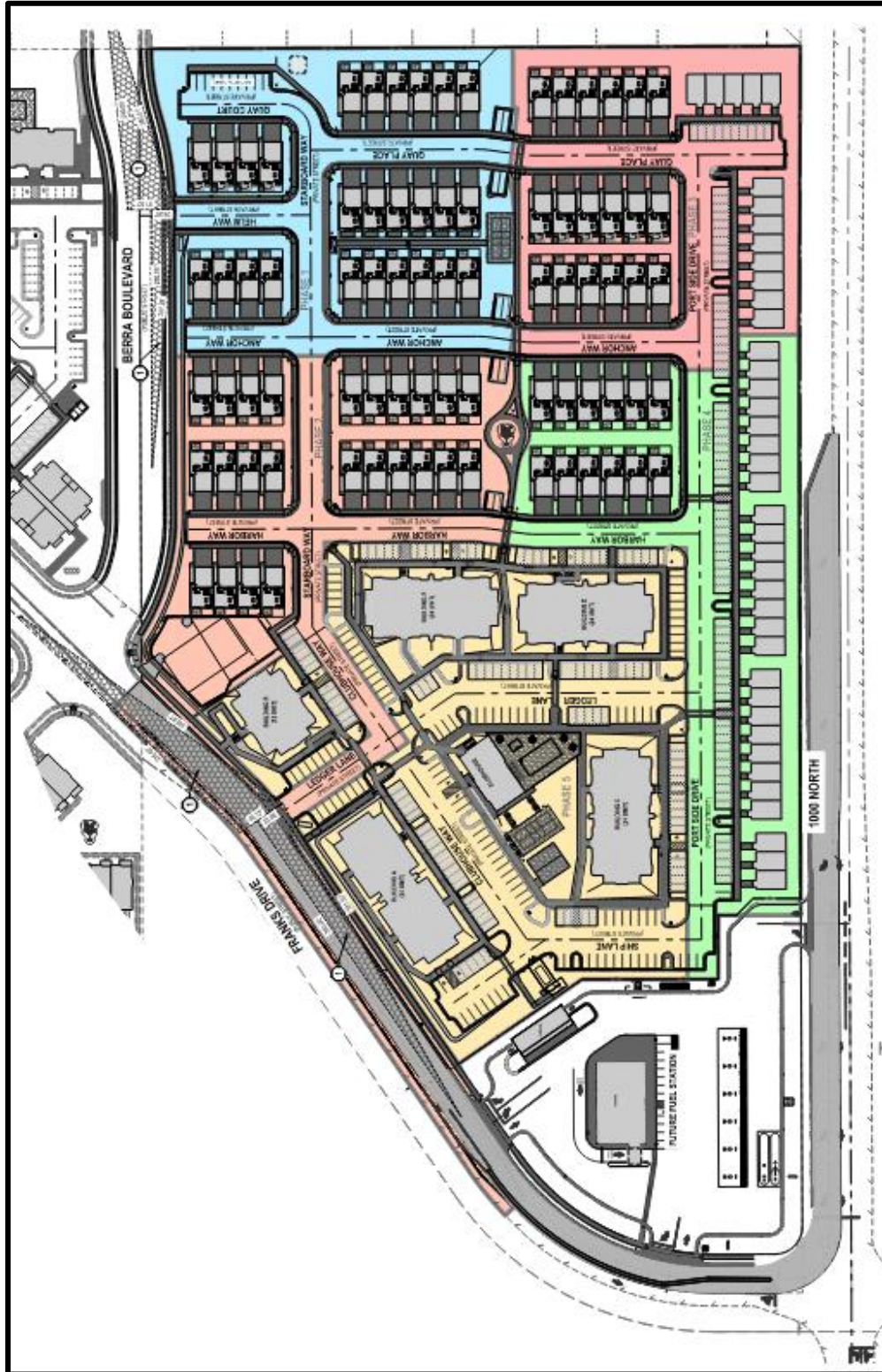
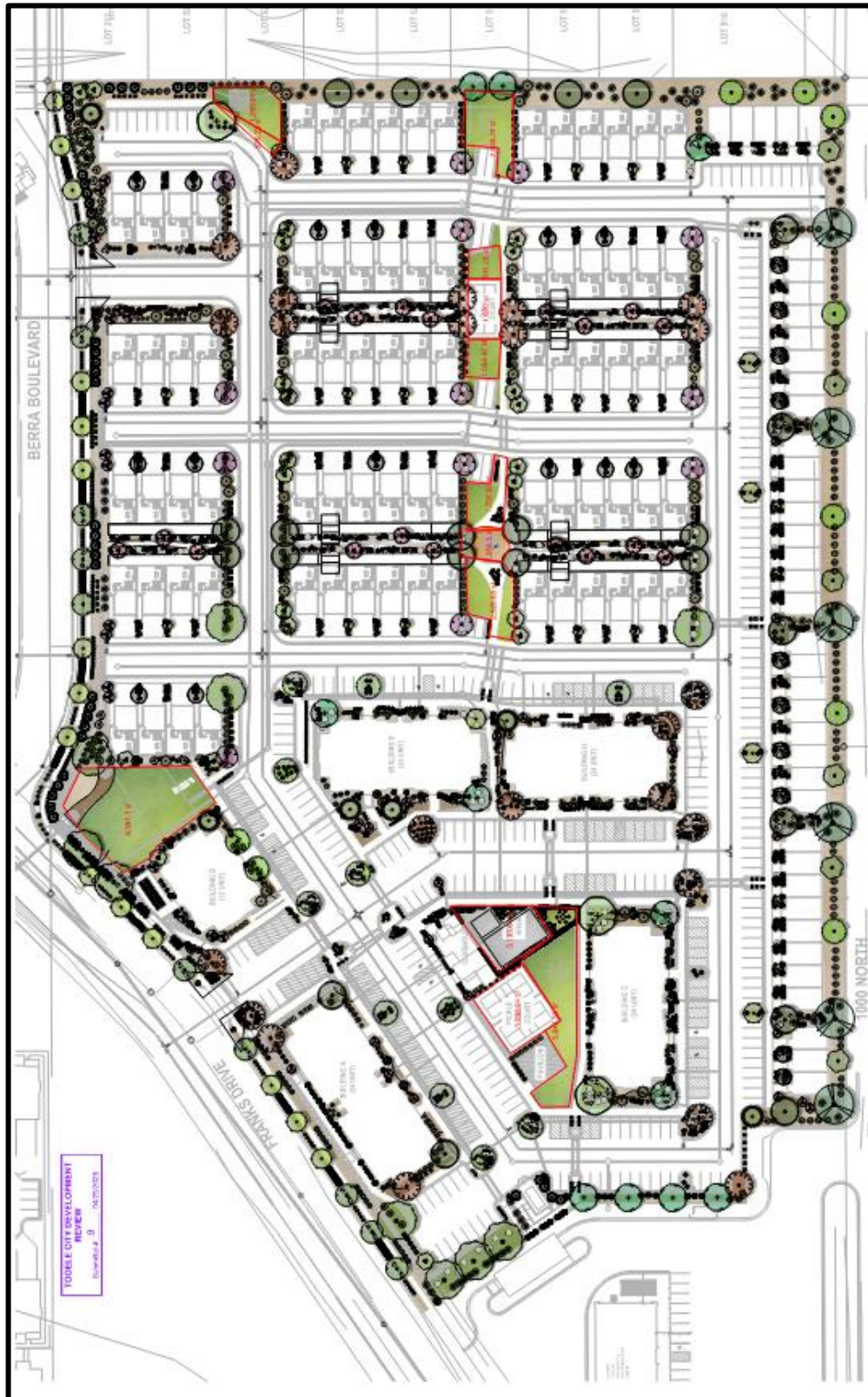




EXHIBIT D  
LANDSCAPING PLAN



## Elevations Clubhouse

0 SOUTH ELEVATION  
A=102.4 SCALE 1/4" = 1'-0"

## Elevations Apartment Building A

## Materials



## Elevations Apartment Building B

[illegible]



## EXHIBIT H

### Elevations Apartment Building C, D, & E



## Elevations Townhomes – 4 Unit Building

### LEGEND


1. PRE-FABRICATED, SLOPED ROOF CLAP PLUMBING w/ DRIP EDGE.
2. EXTERIOR FINISHES: STONE, BRICK, METAL, AND SHINGLES. EXTERIOR FINISHES ARE TO BE USED IN ACCORDANCE WITH THE FOLLOWING SCHEDULE:
3. EXTERIOR FINISHES: STONE, BRICK, METAL, AND SHINGLES. EXTERIOR FINISHES ARE TO BE USED IN ACCORDANCE WITH THE FOLLOWING SCHEDULE:
4. EXTERIOR FINISHES: STONE, BRICK, METAL, AND SHINGLES. EXTERIOR FINISHES ARE TO BE USED IN ACCORDANCE WITH THE FOLLOWING SCHEDULE:
5. EXTERIOR FINISHES: STONE, BRICK, METAL, AND SHINGLES. EXTERIOR FINISHES ARE TO BE USED IN ACCORDANCE WITH THE FOLLOWING SCHEDULE:
6. EXTERIOR FINISHES: STONE, BRICK, METAL, AND SHINGLES. EXTERIOR FINISHES ARE TO BE USED IN ACCORDANCE WITH THE FOLLOWING SCHEDULE:
7. EXTERIOR FINISHES: STONE, BRICK, METAL, AND SHINGLES. EXTERIOR FINISHES ARE TO BE USED IN ACCORDANCE WITH THE FOLLOWING SCHEDULE:
8. EXTERIOR FINISHES: STONE, BRICK, METAL, AND SHINGLES. EXTERIOR FINISHES ARE TO BE USED IN ACCORDANCE WITH THE FOLLOWING SCHEDULE:
9. EXTERIOR FINISHES: STONE, BRICK, METAL, AND SHINGLES. EXTERIOR FINISHES ARE TO BE USED IN ACCORDANCE WITH THE FOLLOWING SCHEDULE:

**APPROVED**  
J.HALL  
City Planner  
01/23/2024


### KEY NOTES

1. NEW TRUCKS OR VEHICLES TO BE SCHEDULED FROM VIEW OF EXTERIOR FINISHES. THE FRONT FACING OF ROOF AND SHALL BE BLACK OR A COLOR OF THE ROOFING.

## Materials




Manufactured stone veneer. Harristone Lueders Flint Hills.



Fiber-Cement Horizontal Lap Painted to have wood appearance




Board & Batten Sherwin - Williams Color = SW 7103 Whitetail



Asphalt Shingles


**TOOLE CITY DEVELOPMENT REVIEW**

Submitted: 2/15/2024



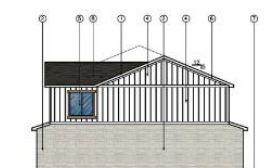
**61% STONE**  
542 sq ft stone  
128 sq ft board & batten  
128 sq ft board & batten

**FRONT ELEVATION**  
SCALE: 1/8" = 1'-0"



**54% STONE**  
542 sq ft stone  
128 sq ft board & batten  
128 sq ft board & batten

**REAR ELEVATION**  
SCALE: 1/8" = 1'-0"



**50% STONE**  
542 sq ft stone  
128 sq ft board & batten  
128 sq ft board & batten

**RIGHT ELEVATION**  
SCALE: 1/8" = 1'-0"



**51% STONE**  
542 sq ft stone  
128 sq ft board & batten  
128 sq ft board & batten

**LEFT ELEVATION**  
SCALE: 1/8" = 1'-0"

## Elevations Townhomes – 6 Unit Building

## Materials

## Elevations Townhomes – No Garage – 3 Unit Building

**APPROVED**  
J HALL  
City Planner  
01/23/2024

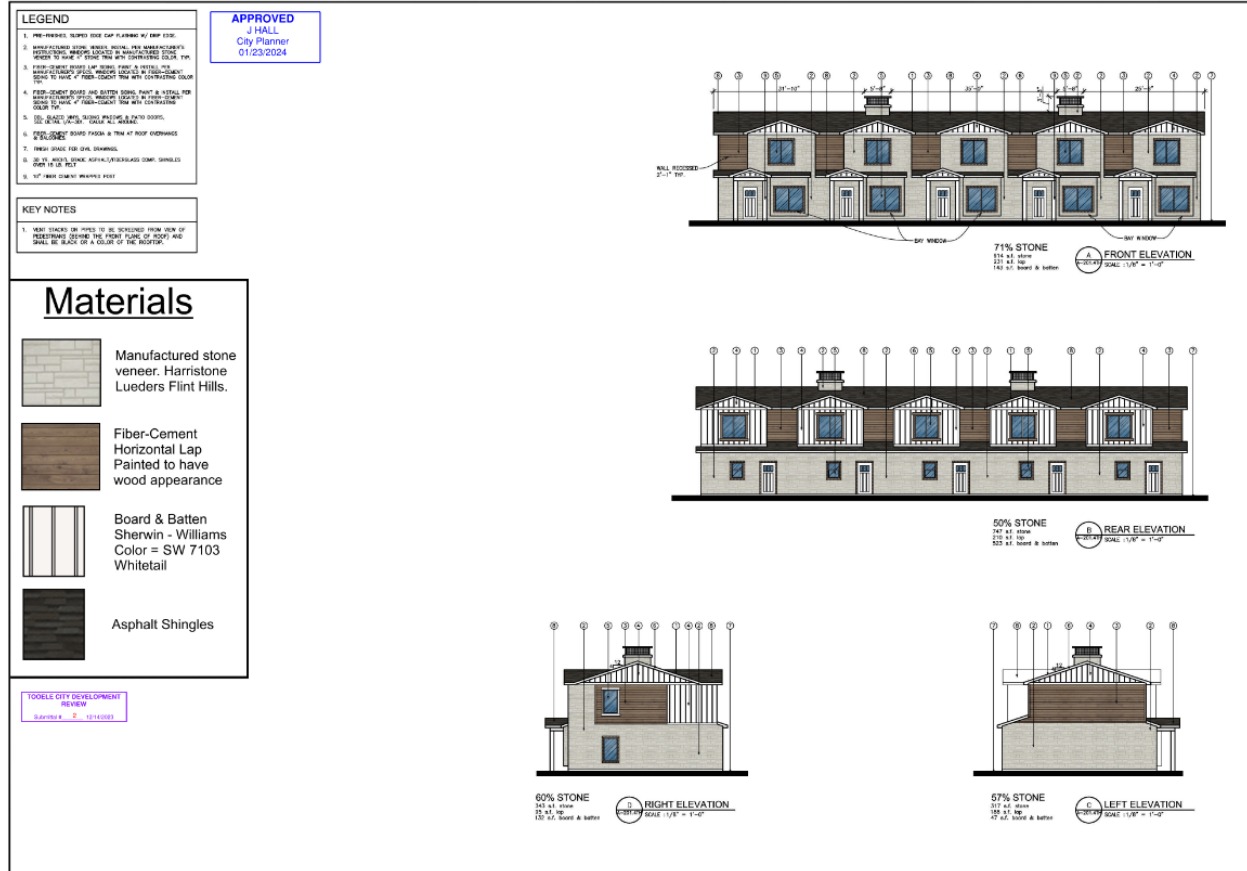
## EXHIBIT L

### Elevations Townhomes – No Garage – 8 Unit Building



## EXHIBIT M

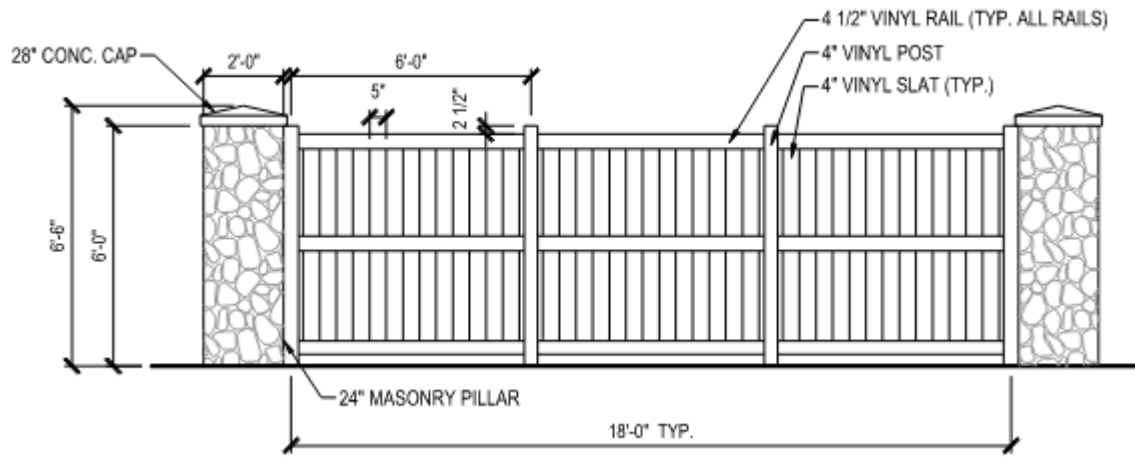
### Elevations Townhomes – No Garage – 5 Unit Building





## EXHIBIT N

### Perimeter Fence Detail



7-11a-17 (4) 10' maximum spacing

## STAFF REPORT

May 9, 2025

**To:** Tooele City Planning Commission  
Business Date: May 14, 2025

**From:** Planning Division  
Community Development Department

**Prepared By:** Kent Page, City Planner / Zoning Administrator

**Re: Lot 105 105 Townhomes of Lexington at Overlake, Plat Amendment**

Application No.: 2025030  
Applicant: Building Dynamics  
Property Owner: Lexington Town Homes, LLC  
Project Name: Lot 105 Townhomes of Lexington at Overlake  
Project Location: 1255 N. 680 West  
Zoning: MR-16 (Multi-Residential, up to 16 units per acre)  
Acreage: 1.29 Acres (Approximately 56,192.4 ft<sup>2</sup>)  
Request: Request for approval of a Preliminary Subdivision Plan in the MR-16 Residential zone regarding the creation of 13 townhome residential lots, and common areas for amenity and storm water detention basin.

### **BACKGROUND**

This application is a request for approval of a Preliminary Subdivision Plan for approximately 1.29 acres located at 1255 N. 680 West. The property is currently zoned MR-16. The applicant is requesting that a Preliminary Subdivision Plan be approved to allow for the development of the currently vacant property into 13 townhome residential lots and common areas.

### **ANALYSIS**

*General Plan and Zoning.* The Land Use Map of the General Plan calls for the High Density Residential land use designation for the subject property. The property has been assigned the MR-16 Multi-Residential zoning classification, supporting up to 16 dwelling units per acre. The MR-16 Multi-Residential zoning designation is identified by the General Plan as a preferred zoning classification for the High Density Residential land use designation. Properties to the east of the subject property are zoned MR-16 Multi-Residential and are currently being developed multi-family residential townhomes. Properties to the west are zoned R1-7 Residential and are currently vacant undeveloped ground but are included in the recently approved Compass Point RSD. Property to the south is zoned MR-16 and is being developed as townhomes. Southeast of this Preliminary Plat is the Lexington Townhomes Subdivision Phase 3. An aerial view and zoning of the area are displayed in Exhibit A and Exhibit B respectively.

This Preliminary Plan is amending Lot 105 of Lexington at Overlake Subdivision – a one lot subdivision containing 56,304 ft<sup>2</sup>. This Preliminary Plan will divide the 56,304 sq. ft into 13 townhome lots, one common area, and two limited common areas.

*Subdivision Layout.* The subdivision proposes the creation of 13 townhome lots fronting 680 West Street. Limited Common Areas will be between the townhome lots and the 680 West right-of-way. A Common Area will surround the other sides of the townhomes. A storm water retention basin is located on the northern boundary in Common Area C. Nine townhomes will have 1,349 ft<sup>2</sup> each. Four townhomes (the end units in the two buildings) will have 1,359 ft<sup>2</sup>. In the MR-16 zoning district there is no minimum lot size to allow townhome ownership; therefore, the lots proposed comply with the minimum lot standards. See Exhibit C for a copy of the Preliminary Plan.

*Public Improvements.* Public improvements (asphalt, curb, gutter, park strip, and sidewalk) to Carole's Way (1200 North), 680 West, and 1300 North were made with the Lot 105 of Lexington at Overlake Subdivision. The Preliminary Plan for "Lot 105 Townhomes of Lexington at Overlake" is amending "Lot 105 of Lexington at Overlake Subdivision" plat. These public improvements were dedicated to Tooele City for maintenance and ownership.

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

## **REVIEWS**

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

1. In the MR-16 zoning district there is no minimum lot size to allow townhome ownership; therefore, the lots proposed comply with the minimum lot standards.

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

*Tooele City Fire Department Review.* The Tooele City Fire Department has completed their review of the Preliminary Subdivision Plan submission and has issued a recommendation for approval for the request.

*Noticing.* Preliminary Subdivision Plans do not require a public hearing and as such do not require public noticing.

## **STAFF RECOMMENDATION**

Staff recommends approval of the request for a Preliminary Subdivision Plan by Building Dynamics, application number 2025030, subject to the following conditions:

1. During the Final Plat review double check square footage of all Lots, all Common Areas, and the Total Plat.
2. During the Final Plat review work with City Staff in the Public Works Department to assign addresses.
3. That all requirements of the Tooele City Engineering and Public Works Divisions shall be satisfied throughout the development of the site and the construction of all buildings on the site, including permitting.
4. That all requirements of the Tooele City Building Division shall be satisfied throughout the development of the site and the construction of all buildings on the site, including

- permitting.
5. That all requirements of the Tooele City Fire Department shall be satisfied throughout the development of the site and the construction of all buildings on the site.
  6. That all requirements of the geotechnical report shall be satisfied throughout the development of the site and the construction of all buildings on the site.

This recommendation is based on the following findings:

1. The proposed development plans meet the intent, goals, and objectives of the Tooele City General Plan.
2. The proposed development plans meet the requirements and provisions of the Tooele City Code.
3. The proposed development plans will not be deleterious to the health, safety, and general welfare of the general public nor the residents of adjacent properties.
4. The proposed development conforms to the general aesthetic and physical development of the area.
5. The public services in the area are adequate to support the subject development.
6. The proposed Preliminary Subdivision Plan meets or exceeds all minimum requirements as found in Tooele City's development code.

### **MODEL MOTIONS**

Sample Motion for a Positive Recommendation – “I move we **approve** the Preliminary Subdivision Plan for Lot 105 Townhomes of Lexington at Overlake, requested by Building Dynamics, application number 2025030, based on the findings and subject to the conditions listed in the Staff Report dated May 9, 2025.”

1. List any additional findings and conditions...

Sample Motion for a Negative Recommendation – “I move we **deny** the Preliminary Subdivision Plan for Lot 105 Townhomes of Lexington at Overlake, requested by Building Dynamics, application number 2025030, based on the findings and subject to the conditions listed in the Staff Report dated May 9, 2025, based on the following findings:”

1. List findings...

**EXHIBIT A**

**MAPPING PERTINENT TO LOT 105 TOWNHOMES OF LEXINGTON AT  
OVERLAKE SUBDIVISION PRELIMINARY SUBDIVISION PLAN**

**AERIAL VIEW**



## EXHIBIT B

### CURRENT ZONING





# PRELIMINARY SUBDIVISION PLAN

[illegible]

Tooele City Planning Commission  
Business Meeting Minutes

**Date:** April 23, 2025

**Time:** 7:00 pm

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

**Commission Members Present:**

Matt Robinson  
Chris Sloan  
Tyson Hamilton  
Melanie Hammer  
Jon Proctor  
Kelley Anderson  
Weston Jensen  
Jon Gossett (alternate)  
Alison Dunn (alternate)

**City Council Members Present:**

Maresa Manzione  
Ed Hansen

**City Employees Present:**

Kent Page, City Planner  
Andrew Aagard, Community Development Director  
Zack Lawrence, I.T. Intern

Minutes prepared by Alicia Fairbourne

**1. Pledge of Allegiance**

Chairman Robinson called the meeting to order at 7:00 pm and led the Pledge of Allegiance.

**2. Roll Call**

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

**3. Public Hearing and Decision to consider a request by Ashlee Lopez for Conditional Use Approval to allow an in-home childcare business involving 8 to 16 children on the property at 843 E. Deer Flat Road in the R1-7 Residential Zoning District.**

City Planner Kent Page presented the application and explained that the request involved caring for up to 16 children, which required a Conditional Use Permit approval under the City's Code. Mr. Page reviewed the applicable code conditions, including requirements related to traffic and parking plans, session limits, and separation distances from other childcare operations. He noted that the applicant reported no employees would be involved, that arrivals and departures would be staggered, and that no other licensed childcare facilities requiring a Conditional Use Permit were within 300 feet of the subject property.

Mr. Page summarized that staff recommended approval with conditions, including compliance with State licensing requirements, a home occupation business license, limitations on hours of operation from 6:30 am to 7:00 pm, and adherence to building and fire codes. Although the applicant requested hours beginning at 5:45 am, Mr. Page advised that it would be at the Commission's discretion to modify that condition. During Commission discussion, Commissioner Hammer sought clarification regarding the recommended hours, and Commissioner Hamilton expressed support for the applicant's requested earlier start time, stating that early departures were not uncommon for Tooele residents.

There being no further questions from the Commission, Chairman Robinson opened the floor for public comments at 7:05 pm; however, no members of the public addressed the Commission in person. Mr. Page noted one emailed comment had been received in support of the application from a neighbor residing at 868 Deer Flat Road. Chairman Robinson then closed the floor at 7:06 pm.

**Motion: Commissioner Hammer moved to approve the request for a Conditional Use Permit, application number 2025039 by Ashlee Lopez to allow the operation of a home occupation day care involving the care of eight to sixteen children on the property addressed at 843 East Deer Flat Road, located in the R1-7 zoning district, based on the findings and fact and subject to the conditions that are listed in the Staff Report dated April 18, 2025, with the drop off and pick up hours between 5:45 am and 7:00 pm.**

Commissioner Hamilton seconded the motion. Commissioner Hammer, "Aye"; Commissioner Proctor, "Aye"; Commissioner Sloan, "Aye"; Commissioner Hamilton, "Aye"; Commissioner Jensen, "Aye"; Commissioner Anderson, "Aye"; Chairman Robinson, "Aye". There were none opposed. The motion passed.

**4. City Council Reports**

Councilwoman Manzione reported that there had been no City Council meeting held the previous week due to Council Members attending training provided by the Utah League of Cities and Towns. She stated that the training was beneficial, offering both reassurance regarding current City practices and opportunities to learn new information.

**5. Review and Decision – Minutes of the Planning Commission meeting held April 9, 2025.**

Commissioner Proctor requested a correction to the roll call section of the meeting minutes, noting that the spelling of his first name was misspelled. Staff acknowledged the correction and agreed to make the necessary revision.

**Motion: Chairman Robinson moved to approve the minutes of the Planning Commission meeting held April 9, 2025, with a correction to the spelling of Commissioner Proctor's name as noted.** Commissioner Hamilton seconded the motion. The vote was as follows: Commissioner Hammer, "Aye"; Commissioner Proctor, "Aye"; Commissioner Sloan, "Aye"; Commissioner Hamilton, "Aye"; Commissioner Jensen, "Aye"; Commissioner Anderson, "Aye"; Chairman Robinson, "Aye". There were none opposed. The motion passed.

6. **Adjourn**

There being no further business, Chairman Robinson adjourned the meeting at 7:08 pm.

*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 May, 2025

\_\_\_\_\_  
Matt Robinson, Tooele City Planning Commission Chair

DRAFT