PUBLIC NOTICE

NOTICE IS HEREBY GIVEN THAT the Tooele City Planning Commission will meet in a business meeting scheduled for ***Wednesday, March 13, 2024*** at the hour of 7:00 p.m. The meeting will be held in the City Council Chambers of Tooele City Hall, located at 90 North Main Street, Tooele, Utah.

We encourage anyone interested to join the Planning Commission meeting electronically through Tooele City's YouTube channel by logging onto www.youtube.com/@tooelecity or searching for our YouTube handle ***@tooelecity****. If you would like to submit a comment for any public hearing item you may email pcpubliccomment@tooelecity.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** – Consideration of a request by Markosian Auto for approval of a Conditional Use Permit to allow an Accessory Vehicle Storage Yard on property located 1232 W. Utah Avenue in the LI, Light Industrial zoning district. *Jared Hall, City Planner presenting*

4. **Review and Decision** – Consideration of a request for Preliminary Subdivision Plan approval for the Betty Jean Skinner Johnson Trustee Subdivision located at 105 E. 1000 North in the R1-7 and RR-5 zoning districts. *Jared Hall, City Planner presenting*

5. **City Council Reports**

6. **Review and Approval** – Planning Commission Minutes for the meeting held on February 28, 2024.

7. **Training** – Discussion of Missing Middle Housing. *Roger Baker, City Attorney presenting*

8. **Adjourn**

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

STAFF REPORT
March 8, 2024

To: Tooele City Planning Commission
Business Date: March 13, 2024

From: Planning Division
Community Development Department

Prepared By: Jared Hall, City Planner / Zoning Administrator

Re: **Marksosian Auto – Conditional Use Permit Request, Accessory Vehicle Storage Yard**

Application No.:	P24-135
Applicant:	Markosian Auto
Project Location:	1232 W. Utah Avenue
Zoning:	LI, Light Industrial
Acreage:	2-acre area | 6.9-acre property
Request:	Conditional Use Permit approval for Accessory Vehicle Storage

BACKGROUND

The applicant owns and operates an existing sales and service facility on the subject property. This application is a request for approval of a Conditional Use Permit to allow the temporary storage of certain vehicles on the property which are awaiting insurance claims, other repairs, or have been repossessed. The vehicle storage would occur on a portion of the property located at 1232 W. Utah Avenue in the LI, Light Industrial zoning district.

Accessory vehicle storage yards are allowed with conditional use permit approval when associated with vehicle sales and rentals in the industrial zoning designations.

ANALYSIS

General Plan and Zoning. The subject property is located in the LI, Light Industrial zoning district. The purpose of the Light Industrial designation is "to provide locations for light industrial assembly and manufacturing uses that produce no appreciable negative impact to adjacent properties." Much of the surrounding property is currently unused. Properties to the east and south across Utah Avenue are used industrially. Surrounding zones include Industrial, Light Industrial, and Research and Development designations. The temporary storage of vehicles is compatible with the intents and goals of the zoning, and with the pattern in the area. Conditions included with the allowance for an accessory vehicle storage yard will be reviewed in this report and should mitigate any potential impacts to adjacent properties. Mapping pertinent to the subject property can be found in Exhibit "A", attached to this report.

Site Plan Layout. The subject property is in use for vehicle sales and service currently. The applicant proposes to pave an area 209' wide by 110' deep on the 2-acre parcel north of the existing building on the site. This area will be enclosed with an eight-foot solid fence per the requirements of the ordinance allowance for an accessory vehicle storage area. The applicant has provided a site plan for review which is attached to this report with Exhibit "B".

Parking & Access: The proposed vehicle storage area will be accessed through the main site by way of Utah Avenue. No additional access is proposed. Parking for display of vehicles for sale, employees, and customers is

not impacted by the addition of the vehicle storage area.

Accessory Vehicle Storage Yards – Limitations. The allowance for Accessory Vehicle Storage Yards carries specific requirements, including:

1) The vehicles must be associated with and ancillary to an allowed auto sales/rental business. Markosian Auto is licensed for sales and service of vehicles at the subject property.

2) The storage must be temporary in nature – not to exceed 120 days.

3) Fencing. The storage yard must be enclosed by a minimum 6 foot solid visual barrier fence of masonry, vinyl, or metal. The applicant is proposing an 8 foot solid metal fence.

4) Paving. The storage yard must be paved with either concrete or asphalt. The applicant proposes to pave the storage area with asphalt.

5) Area limit. The storage area cannot occupy more than 20% of the automobile sales/rental property. The property is 6.29 acres, and the area proposed for the vehicle storage yard represents 8% of the full property.

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

(3) Procedure. At the public hearing, testimony may be given by the applicant and all other persons either in support of or in opposition to the application. The Planning Commission may take the application under advisement, but shall render its determination within 30 days of the date of the hearing.

(4) Approval. The Planning Commission shall approve the conditional use application if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use. If the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards, the conditional use may be denied.

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

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

(1) The reasonably anticipated detrimental effects of the proposed use upon adjacent and nearby persons and properties;

(2) The evidence identified regarding the identified reasonably anticipated detrimental effects of the proposed use;

(3) The reasonable conditions imposed, as part of the Conditional Use Permit approval, intended to mitigate the reasonably anticipated detrimental effects of the proposed use;

(4) The reasons why the imposed conditions are anticipated or hoped to mitigate the reasonably anticipated detrimental effects of the proposed use;

(5) The evidence, if any, identified regarding the ability of the imposed conditions to mitigate the reasonably anticipated detrimental effects of the proposed use.

In response to the City Code requirement for findings of fact, the following are the staff responses and comments on the potential effects this application, should it be approved, upon adjacent and nearby persons and property:

1. The storage of vehicles could impact neighboring properties visually. The limits on size and requirement for a visual-barrier fence will serve to mitigate the potential impact.

2. Some vehicles in the storage area may be damaged. The area must be paved, and the City Engineer will require drainage plans to mitigate any potential impacts to ground water and neighboring properties.

3. The process of constructing the fence and paving the lot area may impact traffic in the area, and neighboring properties.

REVIEWS

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

1. The applicant shall operate the accessory vehicle storage area in compliance with Tooele City requirements, including:
   a. The applicant will provide a minimum 6' high, solid fence around the area to be used for storage, and shall maintain it.
   b. The applicant will provide asphalt paving for the storage area, maintained in good condition.
   c. Vehicles will not be kept in the storage area longer than 120 days.
   d. The vehicle storage area will not exceed 20% of the area of the subject property.
   e. The applicant will maintain a valid Tooele City business license

Engineering and Public Works Review. The Tooele City Engineering Division and the Public Works recommend approval with the condition that the applicant will provide grading and drainage plans for the planned storage area for review and approval.

Tooele City Fire Department Review. The Tooele City Fire Department had no comments on the application.

NOTICING

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

STAFF RECOMMENDATION

Staff recommends APPROVAL of the request for Conditional Use Permit, application # P24-135 by Markosian Auto, subject to the following conditions:

1. The applicant shall meet all requirements of the Tooele City Code regarding operation of an accessory vehicle storage area, including:

   a. Provide and maintain a minimum 6' high, solid fence enclosing the storage area.
   b. Provide and maintain asphalt paving over the entire area to be enclosed for storage.

c. Assure that vehicles are not kept in the storage area for longer than 120 days.
d. Vehicle storage area is limited to no more than 1.25 acres.
e. The applicant shall maintain a Tooele City Business License for vehicles sales/rental on the subject property.

2. The applicant shall provide a plan to appropriately surface the storage area, the materials and design of which must be approved by the City Engineering Division to accommodate drainage and to adequately protect soils and ground water.

3. The application shall meet all requirements of the Tooele City Public Works Department and the City Engineer throughout any development of the site, construction of any buildings on the site, and any permitting.

This recommendation is based on the following findings:

1. The proposed use meets the intent, goals, and objectives of the Tooele City General Plan and the Light Industrial zoning district.

2. With conditions, the proposed use will meet the requirements and provisions of the Tooele City Code regarding accessory vehicle storage areas.

3. With conditions, the proposed use will not be deleterious to the health, safety, and general welfare of the general public nor the residents of adjacent properties.

4. With conditions, the proposed use will not negatively impact public services in the area.

5. Potential impacts of this proposed use have been identified in this report and the recommended conditions are intended to mitigate those impacts as required by Tooele City Code Section 7-5-4.

MODEL MOTIONS

Sample Motion for Approval – "I move we APPROVE the request for Conditional Use Permit, application #P24-135 by Markosian Auto to allow an accessory vehicle storage area on the property at 1232 W. Utah Avenue based on the findings of fact and subject to the conditions listed in the Staff Report dated March 8, 2024."

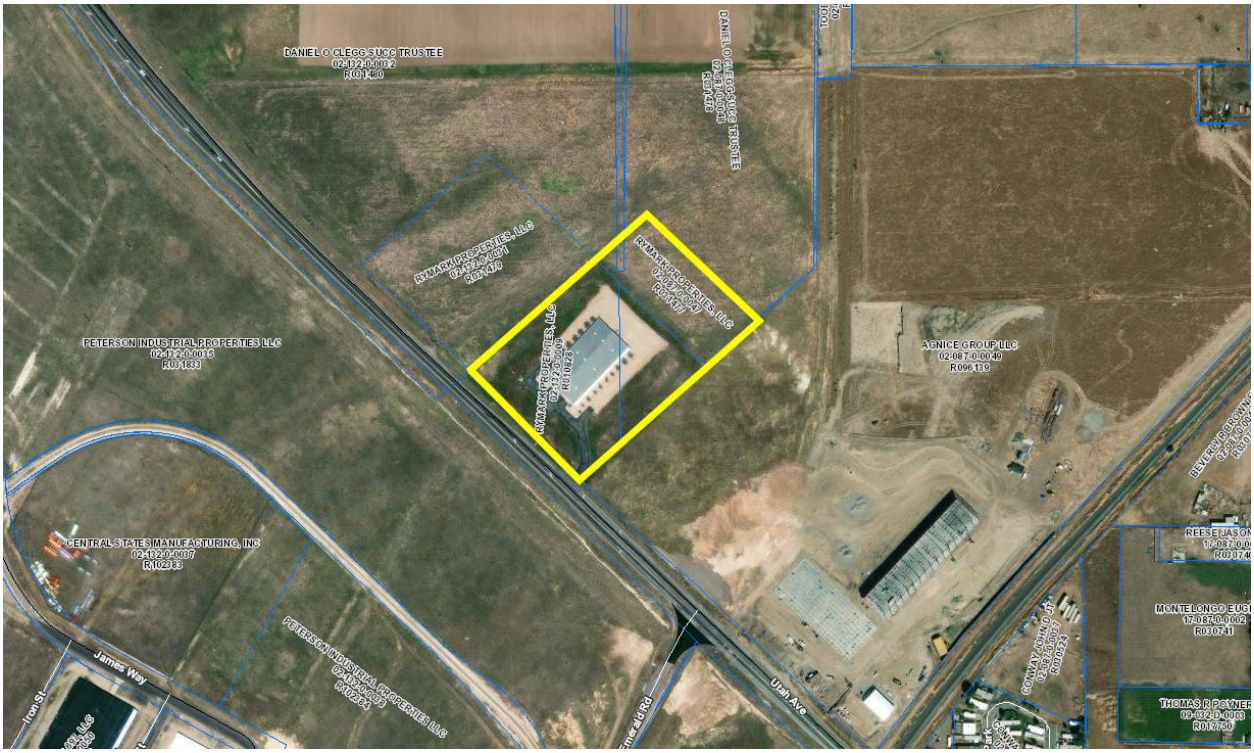
1. List any additional findings of fact and/or conditions

Sample Motion for Denial – "I move we DENY the request for Conditional Use Permit, application # P24-135 by Markosian Auto to allow an accessory vehicle storage area on the property at 1232 W. Utah Avenue based on the findings of fact."

1. List findings of fact

EXHIBIT A

MAPPING PERTINENT TO THE REQUEST, LITTLE BRITCHES CLOTHING



1: Subject Property, aerial view



2: Subject Property, zoning

EXHIBIT B

APPLICANT SUBMITTED INFORMATION

Conditional Use Permit Application

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

Tooele City
Est. 1853

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

Project Information

24-135

Date of Submission: 2/29/24	Current Zoning: Light Industrial	Parcel #(s): 02-132-000
Project Name: Markosian Auto		Acres: 2.0
Project Address: 1232 West Utah Ave Tooele, Ut 84074		Units:
Project Description: retail sales / service		
Current Use of Property: retail sales / service		

Property Owner(s): Nick Markosian	**Applicant(s):** Nick Markosian
Address: 4238 S. Redwood Rd	Address: 960 W. Leroy Dr. P.O.572040
City: Taylorsville State: Ut Zip: 84123	City: Taylorsville State: Ut Zip: 84123
Phone: 801-541-6654	Phone: 801-541-6654
Contact Person: Alan Burrow	Address: 4238 S. Redwood Rd
Phone: 801-884-9204	City: Taylorsville State: Ut Zip: 84123
Cellular: Same Fax:	Email: alanburrow19.ab@gmail.com

Signature of Applicant:

Alan Burrow Date 2/29/24

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

** By submitting this application form to the City, the applicant acknowledges that the above list is not exclusive and under no circumstances waives any responsibility or obligation of the Applicant and or his Agents from full compliance with City Master Plans, Code, Rules and or Regulations.

For Office Use Only

2240138

Fee: 600.00 (213)	Received By: bSSi	Date Received: 2/29/24	Receipt #: 1034089

AFFIDAVIT

PROPERTY OWNER

STATE OF UTAH }
}ss
COUNTY OF TOOELE }

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

_____
(Property Owner)

_____
(Property Owner)

Subscribed and sworn to me this ___ day of _____, 20__.

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

AGENT AUTHORIZATION

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

Alan Burrows
(Property Owner)

_____
(Property Owner)

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

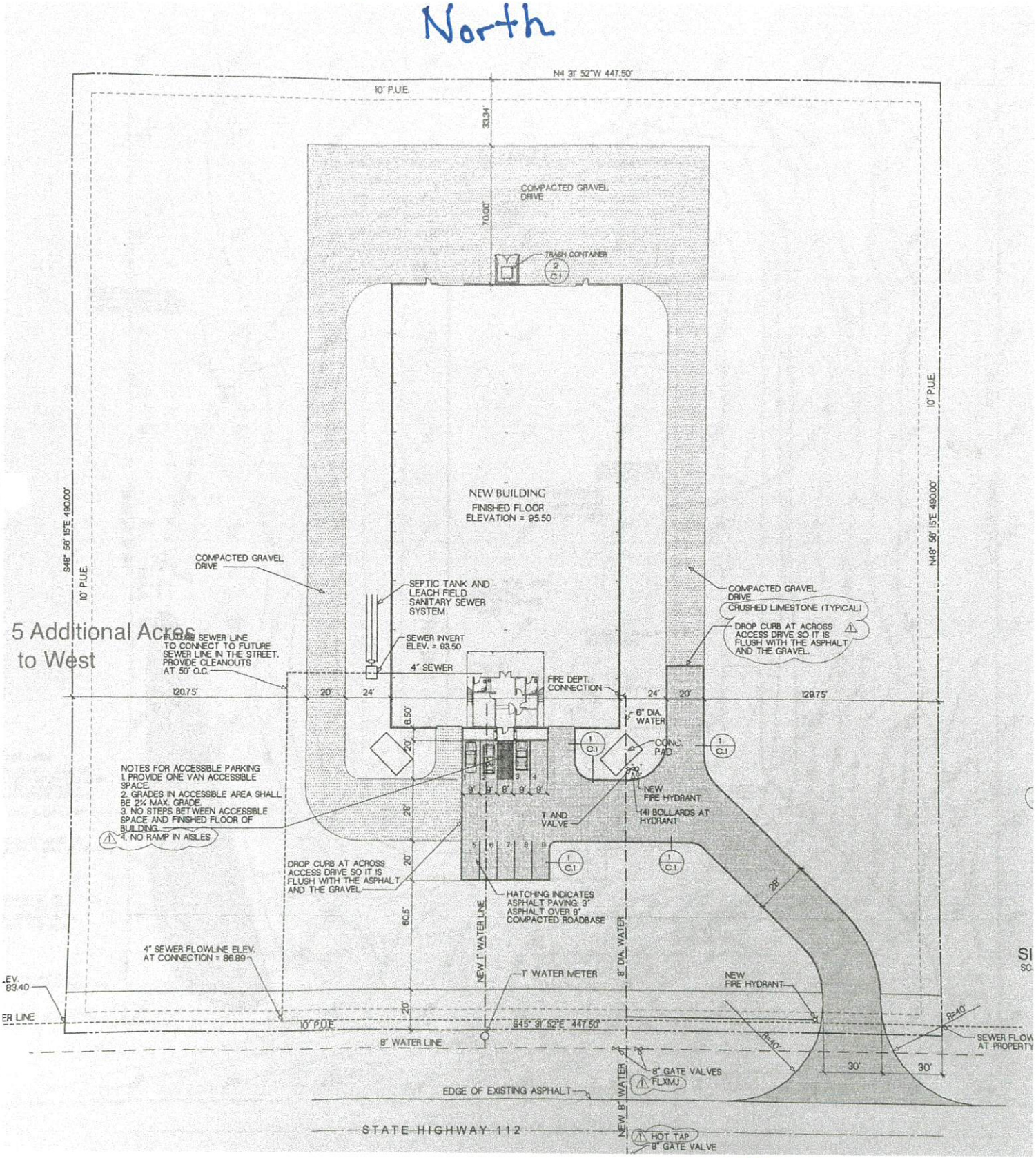
Laura Bankhead
(Notary)
Residing in Tooele County, Utah
My commission expires: 11-4-24

LAURA BANKHEAD
Notary Public - State of Utah
Comm. No. 714974
My Commission Expires on
Nov 4, 2024

AVAILABLE FOR SALE

2 Additional Acres to North

North

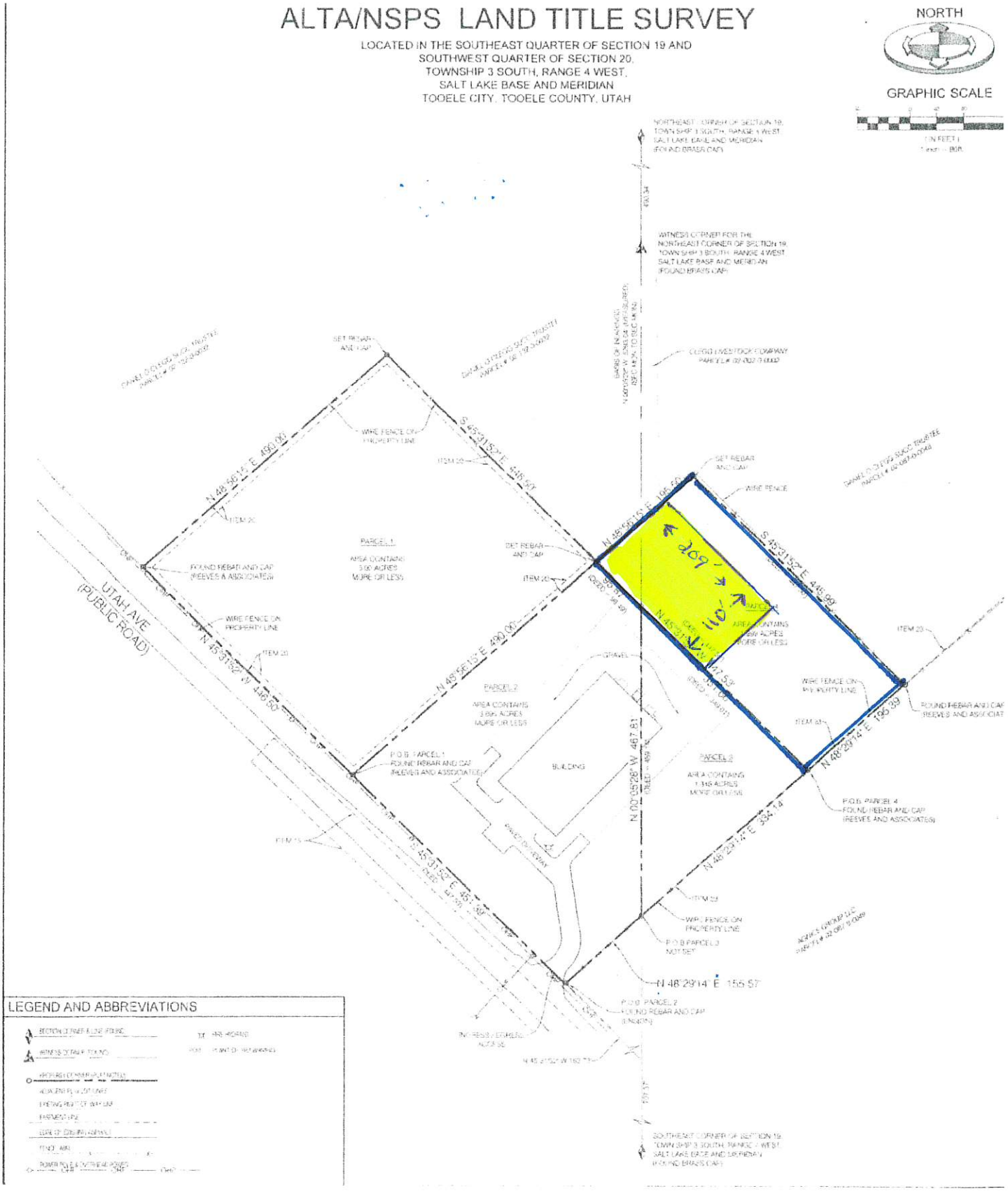


5 Additional Acres to West

Page 1

ALTA/NSPS LAND TITLE SURVEY

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 19 AND
SOUTHWEST QUARTER OF SECTION 20,
TOWNSHIP 3 SOUTH, RANGE 4 WEST,
SALT LAKE BASE AND MERIDIAN
TOOELE CITY, TOOELE COUNTY, UTAH



Enclosed Fenced Area
8' tall metal R fence
Color: Sahara TAN
Additional 1.2 Acres

Area to be paved with Asphalt

STAFF REPORT
March 8, 2024

To: Tooele City Planning Commission
Business Date: March 13, 2024

From: Planning Division
Community Development Department

Prepared By: Jared Hall, City Planner / Zoning Administrator

Re: **Betty Jean Skinner Johnson Trustee Subdivision**

Applicant:	Cindy McInnes
Project Location:	105 E. 1000 North
Zoning:	R1-7, RR-1
Acreage:	5.29 Acres
Request:	Request for Preliminary Subdivision Plan approval for a two-lot subdivision with dedication of right-of-way along 1000 North.

BACKGROUND

This application is a request for approval of a Preliminary Subdivision Plan for a two-lot subdivision. The intent is to create a conforming residential lot for an existing home on the property which the applicant will retain, and a remainder lot which can be sold for development.

ANALYSIS

General Plan and Zoning. The Land Use Map of the General Plan identifies both the Medium Density Residential and Regional Commercial land use designations for different portions of the subject property. The acreage that would become proposed Lot 2, is designated Medium Density Residential, and the remainder of the property (proposed Lot 1) is designated Regional Commercial. The area of Lot 2 is currently zoned R1-7. Proposed Lot 2 is intended to create a conforming, residential lot for the existing home which will remain. Proposed Lot 1 is located in the RR-1 zoning designation. The property could be developed into one-acre residential lots or considered for commercial zoning and development. The surrounding uses and zoning designations are mixed between industrial, commercial, and residential. Mapping pertinent to the subject request can be found in Exhibit "A" to this report.

Subdivision Layout. The subdivision proposes the creation of two lots:

Lot 1: Proposed Lot 1 is 4.79 acres, with 470.55 linear feet of frontage along 1000 North. It is intended for future development and potential rezoning.

Lot 2: Proposed Lot 2 is .45 acres (19,464 ft^2), with 119.76 linear feet of frontage. It is intended to provide a conforming lot for the existing single-family home and a detached garage on the property, which will remain.

Public Improvements. No new rights-of-way are proposed with this subdivision, but it does include the dedication of a nine foot wide strip of additional right-of-way on 1000 North to provide sidewalk and park strip across the frontage of the subdivision.

Access. Access to the existing property as well as to both proposed lots is from 1000 North. Notably, the City is currently preparing to install a traffic signal at the intersection of 100 East and 1000 North.

Grading, Drainage, and Utilities. Preliminary plans for drainage and utilities related to the subdivision have been reviewed and accepted by the City Engineer and Public Works. The applicant will continue working with the City to prepare plans for Final Subdivision approval and recording. Easements for utilities and drainage area associated with both proposed lots.

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. All lots within the subdivision meet or exceed minimum requirements for lot size, lot width and lot frontage as required by the R1-7 and RR-1 zoning districts.

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 recommend approval of the request.

Tooele City Fire Department Review. The Tooele City Fire Department has completed their review of the Preliminary Subdivision Plan submission and recommend approval of the request.

STAFF RECOMMENDATION

Staff recommends approval of the request for a Preliminary Subdivision Plan for the Betty Jean Skinner Johnson Trustee Subdivision, application #P24-31, subject to the following conditions:

1. The applicant shall work with City Staff to prepare a final subdivision plat meeting all Tooele City requirements for recordation.

2. 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.

3. That all requirements of the Tooele City Building Division shall be satisfied throughout the development of the site and the construction of all buildings on the site, including permitting.

4. That all requirements of the Tooele City Fire Department shall be satisfied throughout the development of the site and the construction of all buildings on the site.

This recommendation is based on the following findings:

1. The proposed preliminary subdivision plan meets the intent, goals, and objectives of the Tooele City General Plan.

2. The proposed preliminary subdivision plan meets the requirements and provisions of the Tooele City Code.

3. The proposed subdivision will not be deleterious to the health, safety, and general welfare of the general public nor the residents of adjacent properties.

4. The public services in the area are adequate to support development of the subdivision.

5. 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 that we APPROVED the Preliminary Subdivision Plan request for the Betty Jean Skinner Johnson Trustee Subdivision, application #P24-31, based on the findings and subject to the conditions listed in the Staff Report dated March 8, 2024:"

1. List any additional findings and conditions…

Sample Motion for a Negative Recommendation – "I move that we DENY the Preliminary Subdivision Plan request for the Betty Jean Skinner Johnson Trustee Subdivision, application #P24-31, based on the following findings:"

1. List findings…

EXHIBIT A
MAPPING PERTINENT TO THE PRELIMINARY SUBDIVISION PLAN



1: Subject Property: aerial photo



2: Subject Property: zoning

EXHIBIT B
APPLICANT SUBMITTED INFORMATION

Minor Subdivision Application

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

Tooele City
Est. 1853

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

Project Information

24-31

Date of Submission:	Submittal #: ☐ 1 ☐ 2 ☐ 3 ☐ 4	Zone:	Acres:	Parcel #(s):
Project Name: McInnes Property				
Project Address: 105 E 1000 N Tooele				
Project Description: dividing house property from trust			Phases:	Lots: 2

Property Owner(s): Betty Johnson Trust	**Applicant(s):** Cindy McInnes
Address:	Address: 105 E 1000 N
City: / State: / Zip:	City: Tooele / State: UT / Zip: 84074
Phone: / Email:	Phone: 435.830.9052 / Email: clmcinnes16@hotmail.com
Contact Person:	Address:
Phone:	City: / State: / Zip:
Cellular: / Fax: / Email:	
Engineer & Company:	**Surveyor & Company:** VARA 3D
Address:	Address: 5693 S 675 E
City: / State: / Zip:	City: Murray / State: UT / Zip: 84107
Phone: / Email:	Phone: 801-707-1012 / Email: www.vara3d.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.

For Office Use Only

2240031

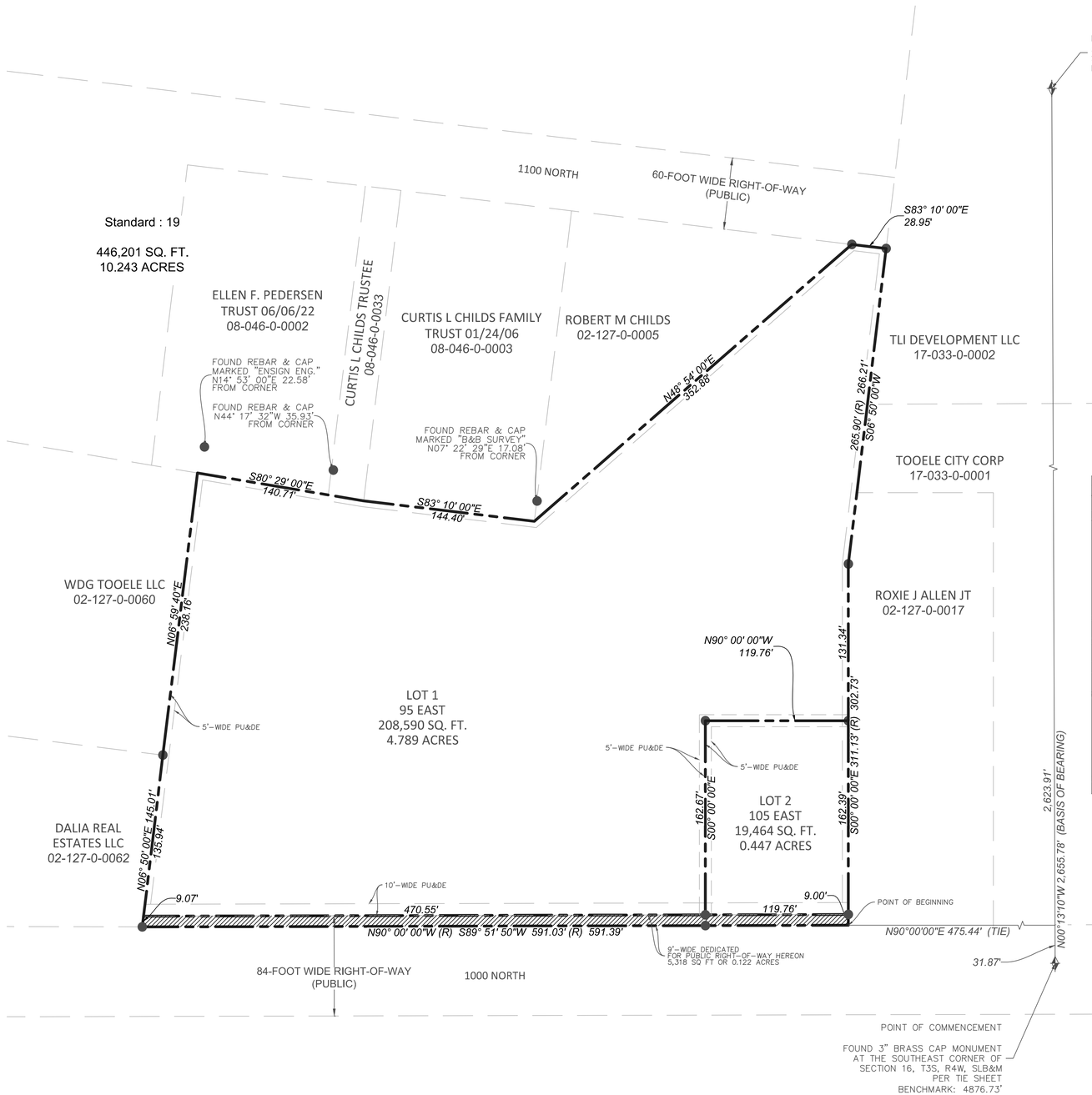
Land Use Review:	Date:	Water Superintendent Review:	Date:	City Engineer Review:	Date:
Planning Review:	Date:	Reclamation Superintendent Review:	Date:	Director Review:	Date:

Fire Flow Test

Location:	Residual Pressure:	Flow (gpm):	Min. Required Flow (gpm):
Performed By:	Date Performed:	Corrections Needed: ☐ Yes ☐ No	Comments Returned: ☐ Yes ☐ No Date:

BETTY JEAN SKINNER JOHNSON TRUSTEE SUBDIVISION PLAT

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 16, T3S, R4W, SLB&M, TOOELE COUNTY, UTAH



N

SCALE

HORIZONTAL: 1" = 50'

0 12.5' 25' 50' 75'

VICINITY MAP



LEGEND:

- PROPERTY BOUNDARY
- NEIGHBOR BOUNDARY LINE
- SET 5/8" REBAR AND CAP STAMPED VARA 3D UNLESS OTHERWISE NOTED
- FOUND SECTION CORNER AS NOTED

VARA 3D
GEOSPATIAL SOLUTIONS
5693 S 675 E MURRAY, UT 84107
801-707-1012

SURVEYOR'S CERTIFICATE

I, JAMES V. HEINRITZ, DO HEREBY CERTIFY THAT I AM A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF UTAH AND THAT I HOLD LICENSE NO. 11072412-2201 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, OF THE PROFESSIONAL ENGINEERS AND LAND SURVEYORS ACT; I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THIS SUBDIVISION PLAT IN ACCORDANCE WITH SECTION 17-23-17 AND HAVE VERIFIED ALL MEASUREMENTS; THAT THE REFERENCE MONUMENTS SHOWN ON THIS PLAT ARE LOCATED AS INDICATED AND ARE SUFFICIENT TO ACCURATELY ESTABLISH THE LATERAL BOUNDARIES OF THE HEREIN DESCRIBED TRACT OF REAL PROPERTY; AND THAT THIS PLAT OF

BETTY JEAN SKINNER JOHNSON TRUSTEE SUBDIVISION PLAT

AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT

SIGNED THIS_____DAY OF_____, 20__

JAMES V. HEINRITZ, PLS 11072412-2201
FOR AND ON BEHALF OF VARA 3D, INC

LEGAL DESCRIPTION:

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 3 SOUTH, RANGE 4 WEST OF THE SALT LAKE BASE AND MERIDIAN, TOOELE COUNTY, UTAH AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A BRASS MONUMENT LOCATED AT THE SOUTHEAST CORNER OF SAID SECTION 16 WHENCE A BRASS MONUMENT LOCATED AT THE EAST QUARTER CORNER OF SAID SECTION 16 BEARS NORTH 00°13'10" WEST A DISTANCE OF 2,655.78 FEET, SAID LINE FORMING THE BASIS OF BEARING FOR THIS DESCRIPTION;

THENCE NORTH 00°13'10" WEST ALONG SAID LINE A DISTANCE OF 31.87 FEET;
THENCE NORTH 00°00'00" WEST A DISTANCE OF 475.44 FEET TO THE POINT OF BEGINNING;

THENCE NORTH 89°51'50" WEST A DISTANCE OF 591.39 FEET;
THENCE NORTH 06°50'00" EAST A DISTANCE OF 145.01 FEET;
THENCE NORTH 06°59'40" EAST A DISTANCE OF 238.16 FEET;
THENCE SOUTH 80°29'00" EAST A DISTANCE OF 140.71 FEET;
THENCE SOUTH 83°10'00" EAST A DISTANCE OF 144.40 FEET;
THENCE NORTH 48°54'00" EAST A DISTANCE OF 352.88 FEET;
THENCE SOUTH 83°10'00" EAST A DISTANCE OF 28.95 FEET;
THENCE SOUTH 06°50'00" WEST A DISTANCE OF 266.21 FEET;
THENCE SOUTH 00°00'00" EAST A DISTANCE OF 302.73 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 233,371 SQ. FT. OR 5.358 ACRES.

OWNERS' DEDICATION:

KNOWN ALL MEN BY THESE PRESENTS THAT I/WE, THE UNDERSIGNED OWNER(S) OF THE ABOVE DESCRIBED TRACT OF LAND, HAVING CAUSED THE SAME TO BE SUBDIVIDED, HEREAFTER KNOWN AS THE

BETTY JEAN SKINNER JOHNSON TRUSTEE SUBDIVISION PLAT

DO HEREBY DEDICATE THE STREETS AND OTHER PUBLIC AREAS AS INDICATED HEREON FOR PERPETUAL USE OF THE PUBLIC. OWNER(S) HEREBY AGREE TO WARRANT AND DEFEND AND SAVE THE CITY HARMLESS AGAINST ANY EASEMENTS OR OTHER ENCUMBRANCE ON A DEDICATED STREET WHICH WILL INTERFERE WITH THE CITY'S USE, MAINTENANCE, AND OPERATION OF THE STREET.

IN WITNESS HEREOF WE HAVE SET OR HANDS THIS _____ DAY OF _____, A.D. 2024

_____
BY

ACKNOWLEDGEMENT:

STATE OF UTAH |
| S.S.
COUNTY OF TOOELE |

ON THE _____ DAY OF _____, A.D. 2024, PERSONALLY APPEARED BEFORE ME THE SIGNERS OF THE FOREGOING DEDICATION WHO DULY ACKNOWLEDGE TO ME THAT THEY DID EXECUTE THE SAME.

MY COMMISSION EXPIRES: _____ _____
NOTARY PUBLIC

SCALE: 1" = 50' **SHEET 1 OF 1**

CITY COUNCIL APPROVAL

APPROVED THIS___DAY OF_____A.D., 20__, BY THE TOOELE CITY COUNCIL CHAIR

_____
CHAIR: TOOELE CITY COUNCIL

BETTY JEAN SKINNER JOHNSON TRUSTEE SUBDIVISION PLAT

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 16, T3S, R4W, SLB&M, TOOELE COUNTY, UTAH

COUNTY HEALTH DEPARTMENT

APPROVED THIS___DAY OF___, 20__, BY THE TOOELE COUNTY HEALTH DEPARTMENT

_____
TOOELE COUNTY HEALTH DEPT.

COUNTY TREASURER

APPROVED THIS___DAY OF_____A.D., 20__, BY THE TOOELE COUNTY TREASURER

_____
TOOELE COUNTY TREASURER

COUNTY SURVEYOR

APPROVED THIS___DAY OF_____A.D., 20__, BY THE TOOELE COUNTY SURVEYOR

RECORD OF SURVEY FILE #

_____
TOOELE COUNTY SURVEYOR

CITY ENGINEER

APPROVED AS TO FORM ON THIS ___DAY OF___, 20__,

_____
TOOELE CITY ENGINEER

CITY ATTORNEY

APPROVED AS TO FORM THIS___DAY OF_____, 20__,

_____
TOOELE CITY ATTORNEY

COMMUNITY DEVELOPMENT

APPROVED AS TO FORM THIS___DAY OF_____, 20__,

_____
TOOELE CITY COMMUNITY DEVELOPMENT

PLANNING COMMISSION

APPROVED THIS___DAY OF_____A.D., 20__, BY THE TOOELE CITY PLANNING COMMISSION CHAIR

_____
CHAIR: TOOELE CITY PLANNING COMMISSION

TOOELE COUNTY RECORDER

RECORDED # _____
STATE OF UTAH, COUNTY OF TOOELE, RECORDED AND FILED AT THE REQUEST OF _____,
DATE_____, TIME_____, BOOK_____, PAGE_____,
_____ _____
FEE $ TOOELE COUNTY DEPUTY RECORDER

Tooele City Planning Commission
Business Meeting Minutes

Date: Wednesday, February 28, 2024
Time: 7:00 p.m.
Place: Tooele City Hall Council Chambers
90 North Main Street, Tooele Utah

Commission Members Present:
Tyson Hamilton
Melanie Hammer
Jon Proctor
Chris Sloan
Matt Robinson
Weston Jensen
Kelley Anderson

Commission Members Excused:
Alison Dunn

City Council Members Present:
Maresa Manzione

City Council Members Excused:
Ed Hansen

City Employees Present:
Andrew Aagard, Community Development Director
Jared Hall, City Planner
Roger Baker, City Attorney

Minutes prepared by Katherin Yei

Chairman Hamilton called the meeting to order at 7:01 p.m.

1. Pledge of Allegiance
The Pledge of Allegiance was led by Chairman Hamilton.

2. Roll Call
Melanie Hammer, Present
Tyson Hamilton, Present
Weston Jensen, Present
Chris Sloan, Present
Jon Proctor, Present
Matt Robinson, Present

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Kelley Anderson, Present
Alison Dunn, Excused

3. Public Hearing and Recommendation – Consideration of a request to amend Tooele City Code 7-1-5, Definitions, regarding the mass storage of lithium-ion batteries in the City's industrial zoning districts.
Presented by Andrew Aagard, Community Development Director presenting

Mr. Aagard presented an amendment to City Code 7-1-5 in regards to the definition of lithium-ion batteries. The storage of lithium-batteries is not permitted in any industrial zones apart of the table of uses. However, there is not a definition of hazardous waste. It is a concern that the storage of lithium-ion batteries can cause major fires, taking many of the City resources. Staff is proposing code amendments to prohibit storage of these batteries.

The Planning Commission asked the following questions:
Will this effect retail or only industrial zones?
Can the definition be more specific?
If they are not being stored, do retail typically carry a larger inventory?
What stops someone from retailing from a warehouse?

Mr. Aagard addressed the Commission's questions. The ordinance amendment is exclusively on the storage of batteries. It does affect every zone. However, you can only have a warehouse in an Industrial zone. Staff is trying to prevent warehouse and large storage. If the prominent use is a warehouse with a retail on the side, the business would not be allowed to store the batteries.

Mr. Baker addressed the Commission. When batteries are kept as part of a retail use, they are used in inventory versus storage. At the end of the table of uses, there are notes including "anything that is not listed is prohibited." This (Hazardous Materials Storage) is the only use that is actually written into the Table of Uses as prohibited use because of the emphasis the City Council wanted to put on the prohibition. Mr. Baker pointed out the definitions of "warehouse" which does not allow the warehousing of hazardous materials, and "retail."

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

Commissioner Proctor motioned to forward a positive recommendation of the consideration of a request to amend Tooele City Code 7-1-5, Definitions, regarding the mass storage of lithium-ion batteries in the City's industrial zoning districts. Commissioner Anderson seconded the motion. The vote was as follows: Commissioner Hammer, "Aye", Commissioner Sloan, "Nay", Chairman Hamilton, "Aye", Commissioner Jensen, "Aye", Commissioner Anderson, "Aye", Commissioner Robinson, "Aye" and Commissioner Proctor, "Aye". The motion passed.

4. Public Hearing and Decision – Consideration of a request by Angie Silva, Little Britches Clothing for approval of a Conditional Use Permit to allow the operation of a retail

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business in an existing building located at 272 N. Broadway, Suite 7 in the MU-B, Mixed-Use Broadway zoning district.
Presented by Jared Hall, City Planner

Mr. Hall presented a Conditional Use Permit for Little Britches Clothing allowing operations of a retail business in an existing building located at 272 N. Broadway. It is zoned MU-B, Mixed-Use Broadway. It will be open regular business hours. Parking is shared between all businesses located there, but should be sufficient. Staff is recommending approval with the conditions listed in the staff report.

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

Commissioner Hammer motioned to approve the request by Angie Silva, Little Britches Clothing for approval of a Conditional Use Permit to allow the operation of a retail business in an existing building located at 272 N. Broadway, Suite 7 in the MU-B, Mixed-Use Broadway zoning district based on the findings and facts and subject to the conditions listed in the staff report. Commissioner Robinson seconded the motion. The vote was as follows: Commissioner Hammer, "Aye", Commissioner Sloan, "Aye", Chairman Hamilton, "Aye", Commissioner Jensen, "Aye", Commissioner Anderson, "Aye", Commissioner Robinson, "Aye" and Commissioner Proctor, "Aye". The motion passed.

5. City Council Reports
Council Member Manzione shared the following information from the City Council Meeting: The Council approved the Mayor's appointment of Kelly Anderson as a permanent position on the Planning Commission. They approved the City code amendment allowing storage vehicle yards in automobile sales.

6. Review and Approval – Planning Commission Minutes
There are no changes to the minutes.

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

7. Adjourn
Chairman Hamilton adjourned the meeting at 7:35 p.m.

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

Approved this ____ day of March, 2024

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_____
Tyson Hamilton, Tooele City Planning Commission Chair

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