

**Tooele City Planning Commission
Business Meeting Minutes**

Date: Wednesday, December 13, 2023

Time: 7:00 p.m.

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

Commission Members Present:

Tyson Hamilton
Melanie Hammer
Chris Sloan
Weston Jensen
Melodi Gochis
Alison Dunn
Matt Robinson
Jon Proctor
Kelley Anderson

City Council Members Present:

Maresa Manzione

City Council Members Excused:

Ed Hansen

City Employees Present:

Andrew Aagard, City Development Director
Jared Hall, City Planner
Paul Hansen, City Engineer
Jared Stewart, Economic Development Director

Minutes prepared by Katherin Yei

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

1. Pledge of Allegiance

The Pledge of Allegiance was led by Chairman Hamilton.

2. Roll Call

Melanie Hammer, Present
Tyson Hamilton, Present
Weston Jensen, Present
Chris Sloan, Present
Jon Proctor, Present
Melodi Gochis, Present

Matt Robinson, Present
Alison Dunn, Present
Kelley Anderson, Present

3. Public Hearing and Recommendation – Consideration of a request by the Markosian Auto Group to amend the Land Use Map designation of the property located at 1232 West Utah Avenue from Regional Commercial to Industrial.

Presented by Jared Hall, City Planner

Mr. Hall presented a Land Use Map change for the property located at 1232 West Utah Avenue. It currently has the designation of Regional Commercial. It is zoned LI, Light Industrial. The applicant is requesting to change the Land Use Map to Industrial in order to expand the business.

The Planning Commission asked the following questions:

Where any public comments received from neighboring properties?

What are the changes the company is planning to make?

How many employees will come with the expansion?

What is the maximum number of vehicles they can have on the lot?

What business can come if they change this to industrial?

Can they put a condition for solid surface parking area?

Would the Industrial Service Zone for the business park be more appropriate for this business?

What type of prevention measures will be put in place to contain the hazardous material and contaminates?

Mr. Hall addressed the Commission's questions. They did receive one public comment that was concerned about industrial areas expanding toward the residential properties. There would be more significant number of vehicles with enclosed fencing. There is not a maximum number of vehicles they can have. Part of the business's future plan is to have an autobody shop. That does require Industrial zoning. Engineering would have to look at additional items including the hazardous material.

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

Mr. Borrow addressed the Commission. There are 35 jobs at the Tooele location. The company is looking to expand and incorporate more into the business. They are looking to be good partners within the community. It is an estimated 50 plus employees with the addition. They have road base in the particular area that will be used for damaged cars. They are taking the oils and putting it back into the building. They do have a process to get rid of hazardous materials.

Mr. Aagard addressed the Commission. The industrial service zone would not be a better option for what the applicant wants to do.

Commissioner Sloan motioned to forward a negative Recommendation for the consideration of a request by the Markosian Auto Group to amend the Land Use Map designation of the property located at 1232 West Utah Avenue from Regional Commercial

to **Industrial based on the findings of future use and hazardous uses.** Commissioner Gochis seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”, Commissioner Sloan, “Aye”, Chairman Hamilton, “Aye”, Commissioner Jensen, “Aye”, Commissioner Gochis, “Aye”, Commissioner Robinson, “Aye” and Commissioner Proctor, “Aye”. The motion passed.

4. Public Hearing and Recommendation – Consideration of Proposed Ordinance 2023-39, amending Tooele City Code, Chapter 2-9 regarding the Landmark Site Designation Process for the Preservation of Significant Historic Properties.

Presented by Jared Stewart, Economic Development Director

Mr. Stewart presented an amendment to Tooele City code, chapter 2-9 regarding the landmarks site designation. A historic district was created. It enables more grants and recognizing historical sites within Tooele. It does not prevent any changes to the historic sites. Any person or property can nominate a property to be considered. It is reviewed by staff and the Preservation Commission. Then it is forwarded to the Commission to be approved or denied. If approved, it will be recorded with the County. Demolition would be prohibited, unless there is a safety issue. If a property was changed and they did not go through application, they would have to return it to former or historical status.

The Planning Commission shared the following concerns:

The application process is narrowly focused geographically. The person that is allowed to start the application process should be narrowed down to the property owner. They should not infringe of the property rights. 50 years old does not seem old enough for a historic status. They would like to see 75 years old. The property or home owner should be a part of the process. The Commission would like to see the criteria be more specific.

Mr. Stewart addressed the Planning Commission’s questions. 50 years is used by the state and many other communities. Commercial lots have been surveyed more than residential lots. Part of the application could require the survey from the state Preservation Commission.

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

Commissioner Jensen motioned for a positive recommendation of the Proposed Ordinance 2023-39, amending Tooele City Code, Chapter 2-9 regarding the Landmark Site Designation Process for the Preservation of Significant Historic Properties based on the findings and subject to the conditions listed in the staff report with the Property owners need to be part of the process and extend the time line to 75 years old, and receiving a RLS during the application. Commissioner Proctor seconded the motion.

Commissioner Jensen withdrew the motion.

Commissioner Robinson motioned to table the item to give Mr. Stewart time to address the Commission’s concerns. Commissioner Sloan seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”, Commissioner Proctor, “Aye”, Commissioner Sloan, “Aye”

Chairman Hamilton, “Aye”, Commissioner Robinson, “Aye” Commissioner Jensen, “Aye”, and Commissioner Gochis, “Aye”. The motion passed.

5. Public Hearing and Recommendation – Consideration of Proposed Ordinance 2023-43, amending Tooele City Code, Chapter 7-19 - Subdivision Regulations

Presented by Jared Hall, City Planner

Mr. Hall presented an amendment to Tooele City Code, Chapter 7-19, subdivision regulations. The changes do go beyond some of the legislator requirements. The bill requires the City to overhaul its subdivision application, approval, and appeal processes. City Councils are no longer involved in the subdivision approval process, recognizing that legislative bodies have a role in establishing subdivision rules, but not in administering subdivision applications under those rules. The preliminary subdivision will be approved by the Planning Commission. Preliminary subdivision appeals will be decided by a panel of three members with qualifications in a planning, development, or related fields. The final subdivision will be approved by a committee of the Public Works Director, Community Development Director, and City Engineer, with the signature of two of them required for approval. Final subdivision appeals are dictated by state law and will be heard by a committee of three engineers, one selected by the City, one selected by the sub-divider, and a third selected by the first two. A minor subdivision be treated like a final subdivision for approvals and appeals; the preliminary and final processes are merged into a final subdivision approval process.

The Planning Commission asked the following questions:

Who pays for the third engineer?

Was the fire department involved?

Mr. Hall addressed the Commission’s questions. The fire department was very involved in the process. The property owners normally come forward when they want to subdivide. It comes up organically. The third engineer is chosen by the City and the applicant.

Mr. Aagard addressed the Commission. This ordinance would take February 2024.

The public hearing was opened.

Kelly White asked if this would this lead to an issue or a rush to the recorder’s office to have flag ownership.

The public hearing was closed.

Commissioner Proctor motioned to forward a positive recommendation on the Proposed Ordinance 2023-43, amending Tooele City Code, Chapter 7-19 - Subdivision Regulations based on the findings and subject to the conditions listed in the staff report. Commissioner Hammer seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”, Commissioner Proctor, “Aye”, Commissioner Sloan, “Aye” Chairman Hamilton, “Aye”,

Commissioner Robinson, “Aye” Commissioner Jensen, “Aye”, and Commissioner Gochis, “Aye”. The motion passed.

6. Public Hearing and Recommendation – Consideration of proposed amendments to the Multi-Family Residential Design Guidelines as found in Tooele City Codes 7-11a-18, 7-11a-12, and 7-11a-25.

Presented by Andrew Aagard, Community Development Director

Mr. Aagard presented an amendment to the multi-family residential design standards, building materials, landscaping, and deviations found in the city codes. This is a legislative item and will be approved by the City Council. The City currently requires 50% of exterior to be brick or stone, with 60% of it being on the front façade. Staff is proposing to reduce stone and brick on front and street façade to 40% with two additional materials chosen from the approved list. This is to have architecture variety and unit definition. The tree and shrub changes would simplify the tree requirements; Allowing the code to be easier to read and interpret. Staff is proposing to strike the deviation from the code all together.

The Planning Commission:

Are the tree and shrubs from a list that is provided?

Is this a considerable reduction?

Is it necessary?

If they were to reduce it down to 20%, does it make it more affordable?

Mr. Aagard addressed the Commission’s questions. There is a recommended list of trees and shrubs a developer can select from. With the reduction, the City would like to keep the architectural integrity. They are working to find a comfortable spot that can help developers.

Council Member Manzione addressed the Commission. When Mr. Aagard suggested 20% and 3 additional materials, the Council felt the change was not a significant cost. They want to be able to expand the pallet with a variety of materials.

The public hearing was opened.

Ivan Carrol shared his appreciation for the changes.

The public hearing was closed.

The Planning Commission suggested having the deviation included.

Mr. Aagard addressed the Commission. They would have to rework it and would take some time, but it could be added back if needed.

Commissioner Proctor motioned to forward a positive recommendation Consideration of proposed amendments to the Multi-Family Residential Design Guidelines as found in Tooele City Codes 7-11a-18, 7-11a-12, and 7-11a-25 based on the findings and subject to

the conditions listed in the staff report. Commissioner Jensen seconded the motion. The vote was as follows: Commissioner Hammer, “Nay”, Commissioner Sloan, “Aye” Chairman Hamilton, “Aye”, Commissioner Jensen, “Aye”, Commissioner Gochis, “Nay”, Commissioner Robinson, “Aye” and Commissioner Proctor, “Aye”. The motion passed.

7. Public Hearing and Recommendation – Consideration of proposed amendments to the Tooele City Annexation Policy Plan, an element of the Tooele City General Plan

Presented by Andrew Aagard, Community Development Director

Mr. Aagard presented an amendment to the Tooele City Annexation Policy. The policy plan is an element of the general plan to identify areas adjacent to the City’s boundaries that can be considered for annexation. If a property is not included, the property cannot be annexed until the plan has identified it. The map was approved in 2009, and updated in 2020. Since the plan has been approved, Erda has incorporated, Grantsville has expended, and water is hard to find. Staff is proposing to update the map taking out properties that will not be annexed in to Tooele City due to lack of utilities, undevelopable, or incorporated into another city, town, or government entity. This does not limit the ability to add property, but keeps the plan current. The general plan will have to be amended as well.

The Planning Commission shared thoughts of not understanding the change or believing that it was not needed because there is a policy in place that seems to be working.

Mr. Aagard addressed the Commission’s concerns. Annexation can always be amended if a property comes up. The big issue with the plan as is, is that developers think property will be automatically annexed if it is on the map.

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

Commissioner Robinson motioned to forward a negative recommendation. Commissioner Gochis seconded the motion. The vote was as follows: Commissioner Hammer, “Nay”, Commissioner Proctor, “Nay”, Commissioner Sloan, “Aye” Chairman Hamilton, “Aye”, Commissioner Robinson, “Aye” Commissioner Jensen, “Aye”, and Commissioner Gochis, “Aye”. The motion passed.

8. Review and Recommendation – Consideration of a request by Melissa Jensen representing Harris Community Village LLC for Preliminary Approval of the proposed Harris Community Village Condominium Subdivision, located at 251 North 1st Street in the MR-8 zoning district.

Presented by Jared Hall, City Planner

Mr. Hall presented a condominium subdivision for the proposed Harris Community Village. It is zoned MR-8. They have requested the plat to create unique ownership of the buildings. It is necessary for Tooele Housing Authority to fund the project. Staff is recommending approval. Tooele Housing Authority will maintain ownership.

Commissioner Sloan motioned to forward a positive of a request by Melissa Jensen representing Harris Community Village LLC for Preliminary Approval of the proposed Harris Community Village Condominium Subdivision, located at 251 North 1st Street in the MR-8 zoning district. Commissioner Robinson seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”, Commissioner Proctor, “Aye”, Commissioner Sloan, “Aye” Chairman Hamilton, “Aye”, Commissioner Robinson, “Aye” Commissioner Jensen, “Aye”, and Commissioner Gochis, “Aye”. The motion passed.

9. Review and Recommendation – Consideration of a request by Jared Payne representing Mountain Partner Investments for Preliminary Approval of the Millennial Park Subdivision located at 300 West 400 North in the MR-16 Multi-Family Residential Zone.

Presented by Andrew Aagard, Community Development Director

Mr. Aagard presented a preliminary approval of the Millennial Park Subdivision located at 300 West 400 North. It is zoned MR-16. This is for phase 2 of Millennial Park. The preliminary plan proposed shows lots are width of townhomes, facilitate private ownership of townhomes, does comply with city ordinance, Parcel B is open area, and parcel d is private street, maintained by HOA, staff is recommending approval with conditions listed in staff report.

Commissioner Proctor motioned to forward a positive recommendation of a request by Jared Payne representing Mountain Partner Investments for Preliminary Approval of the Millennial Park Subdivision located at 300 West 400 North in the MR-16 Multi-Family Residential Zone. Commissioner Hammer seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”, Commissioner Proctor, “Aye”, Commissioner Sloan, “Aye” Chairman Hamilton, “Aye”, Commissioner Robinson, “Aye” Commissioner Jensen, “Aye”, and Commissioner Gochis, “Aye”. The motion passed.

10. Review and Recommendation – Consideration of a request by Kelly White and Landon Sandberg to amend the plat of the Kelly White Subdivision located at 738 West McKellar Street in the MR-8, Multi-Family Residential Zone.

Presented by Jared Hall, City Planner

Mr. Hall presented a minor subdivision approval located at 738 West McKellar Street. They are accommodating the six nonconforming units. It is zoned MR-8. The application will bring the property to a conforming status. Staff is recommending approval.

Commissioner Jensen motioned to approve the request by Kelly White and Landon Sandberg to amend the plat of the Kelly White Subdivision located at 738 West McKellar Street in the MR-8, Multi-Family Residential Zone. Commissioner Robinson seconded the motion.

Commissioner Jensen with drew his motion.

Commissioner Jensen motioned to forward a positive recommendation Consideration of a request by Kelly White and Landon Sandberg to amend the plat of the Kelly White

Subdivision located at 738 West McKellar Street in the MR-8, Multi-Family Residential Zone. Commissioner Robinson seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”, Commissioner Proctor, “Aye”, Commissioner Sloan, “Aye” Chairman Hamilton, “Aye”, Commissioner Robinson, “Aye” Commissioner Jensen, “Aye”, and Commissioner Gochis, “Aye”. The motion passed.

11. Review and Decision – Consideration of a request by Jared Payne representing Mountain Partner Investments for Site Plan and Design Review Approval of the Millennial Park Subdivision located at 300 West 400 North in the MR-16 zoning district.

Presented by Andrew Aagard, Community Development Director

Mr. Aagard presented a site plan and design review for the property located at 300 west 400 north. It is zoned MR-8. The townhomes are rear-loaded with each unit having two-car garage and a driveway. Area B will be a landscape and a play area. The road will be private and maintained by the HOA. Staff is confident it meets or exceeds the requirements and recommends approval.

Commissioner Hammer motioned to approve the request by Jared Payne representing Mountain Partner Investments for Site Plan and Design Review Approval of the Millennial Park Subdivision located at 300 West 400 North in the MR-16 zoning district.

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

12. City Council Reports

Council Member Manzione shared the following information from the City Council Meeting: They discussed sewer lift stations, increasing garbage can fees, and approved Melanie Hammer, John Proctor, Matt Robinson, and the new appointment of Kelly Anderson to the Planning Commission.

13. Business Item – Vote for 2024 chair and vice chair positions

Mr. Aagard presented a recap of the Planning Commission’s year. As well as the bylaws for electing a new chair and vice chair.

Commissioner Hammer nominated Tyson Hamilton as chairman. Commissioner Gochis seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”, Commissioner Proctor, “Aye”, Commissioner Sloan, “Aye” Chairman Hamilton, “Aye”, Commissioner Robinson, “Aye” Commissioner Jensen, “Aye”, and Commissioner Gochis, “Aye”. The motion passed.

Commissioner Jensen nominated Chris Sloan as vice-chairman. Commissioner Robinson seconded the motion. The vote was as follows: Commissioner Hammer, “Aye”, Commissioner Proctor, “Aye”, Commissioner Sloan, “Aye” Chairman Hamilton, “Aye”, Commissioner Robinson, “Aye” Commissioner Jensen, “Aye”, and Commissioner Gochis, “Aye”. The motion passed.

14. Review and Approval of Planning Commission Minutes for the meeting held on November 8, 2023.

There are no changes to the minutes.

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

15. Adjourn

Chairman Hamilton adjourned the meeting at 9:18 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 10th day of January, 2024

Tyson Hamilton, Tooele City Planning Commission Chair