

## TOOELE CITY PLANNING COMMISSION MINUTES

September 12, 2018

**Date:** Wednesday, September 12, 2018

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

### **Commission Members Present:**

Melanie Hammer

Tony Graf

Tyson Hamilton

Shauna Bevan

Phil Montano

Chris Sloan

Matt Robinson

### **City Employees Present**

Jim Bolser, Community Development and Public Works Director

Paul Hansen, City Engineer

Andrew Aagard, City Planner

### **Council Member Present:**

Council Member McCall

### **City Employees Excused:**

Roger Baker, City Attorney

### **Council Members Excused:**

Council Member Gochis

Minutes prepared by Kelly Odermott

Commissioner Robinson called the meeting to order at 7:00 p.m.

#### **1. Pledge of Allegiance**

The Pledge of Allegiance was led by Chairman Robinson.

#### **2. Roll Call**

Melanie Hammer, Present

Tyson Hamilton, Present

Chris Sloan, Present

Tony Graf, Present

Shauna Bevan, Present

Phil Montano, Present

Matt Robinson, Present

3. **Public Hearing and Decision on a Conditional Use Permit request for Amped Coatings to allow the Automobile Body and Fender Service and Repair use for a powder coating business in the LI Light Industrial zoning district on approximately 3.56 acres located at 332 South 1200 West.**

Presented by Jim Bolser

This is a unique Conditional Use Permit type. Often the city receives requests that are not unique but different than the land use categories listed in the city code. Trying to list all land use types in the city code can be problematic. When an application comes into the city for a use type that is not listed, there are two options; one the City can find a substantially similar use type in the code or two, the City can say the use is not allowed. In the case of Amped coating their intent is to do a powder coating business in the industrial district on 1200 west. Powder coating is similar in application to painting, although it has very different regulatory needs. The process is similar enough to painting that the City could substantially liken the described use of automotive body and fender service repair, which includes painting. That use is listed as a conditional use in the industrial zone, which is the zoning applied to the property in question as well as those around it. The map of the property was shown in the meeting. Where the City has determined that this can be classified as a substantially similar use, the Planning Commission has the option to agree or disagree with the determination of a substantially similar use through the approval or disapproval of the Conditional Use Permit. The Commission can issue conditions as the Commission sees fit. The Staff Report has outlined the recommendation for approval and conditions for the approval.

Chairman Robinson asked the Commission if they had any questions or concerns; there weren't any.

Chairman Robinson opened the public hearing; there weren't any comments. Chairman Robinson closed the public hearing.

**Commissioner Hamilton moved to approve the Conditional Use Permit Request by David Phillips, representing Amped Coatings, application P18-594, based on the findings and subject to the conditions listed in the Staff Report dated September 5, 2018.** Commissioner Sloan seconded the motion. The vote as follows: Commissioner Hammer, "Aye," Commissioner Hamilton, "Aye," Commissioner Sloan, "Aye," Commissioner Bevan, "Aye," Commissioner Graf, "Aye," Commissioner Montano, "Aye," Chairman Robinson, "Aye." The motion passed.

It was asked by Commissioner Sloan to Mr. Bolser what the procedure would be to add powder coating to city code. Jim Bolser stated it's a standard text amendment to the city code.

4. **Public Hearing and Decision on a Conditional Use Permit request for Joseph and Lora Trujillo to allow additional height for a detached accessory building in the RR-1 Rural Residential zoning district on approximately 0.88 acres located at 64 North 1000 West.**

Presented by Jim Bolser.

This item and the next item are identical and they are neighbors but will be addressed separately. This application is to request additional height, which is allowed by the city code from the 15-foot limit for an accessory building on an already developed site. The map of the

property was shown. A drawing of the elevation of the accessory building as submitted by the applicants was posted on the the screen. The city code specifies that the height be determined by the midpoint of the pitch not the total height. The 15-foot limitation would result in a building taller than 15 feet in total height, but the limitation and measurement are specific to the midpoint of pitch or angle part of the roof not the total height. The staff report outlines conditions one of which is a limitation on the height. That is a number that is selected and put into the staff report to give the owners flexibility and not to hold the owners down to the specific inch as outlined by the drawing. As the Planning Commission is aware anytime you get into the development of property certain conditions can change and require minor adjustments. The staff is recommending in favor with the conditions in the staff report.

Chairman Robinson asked the Commission if they had any questions or comments. Commissioner Graf asked Mr. Bolser what the midpoint of pitch is? Mr. Bolser described the pitch in two ways. On the illustration of the angled part of the roof there are two tick marks, one that marks the highest point and one that marks the lowest point. Midpoint of the pitch would be the exact middle between the two tick marks. An individual would take the angle portion of the roof, find the mid-point and at that elevation the height would be determined by ordinance. There are about six inches of wiggle room in the building process.

Once again Chairman Robinson asked if there were any questions or comments, there weren't any.

Chairman Robinson opened the public hearing; there weren't any comments. Chairman Robinson closed the public hearing.

**Commissioner Bevan moved to approve the Conditional Use Permit Request by Joseph and Lora Trujillo, application number P18-634, based on the findings and subject too the conditions listed in the Staff Report dated September 12, 2018.** Chairman Robinson seconded the motion. The votes was as follows, Commissioner Hammer, "Aye," Commissioner Hamilton, "Aye," Commissioner Sloan, "Aye," Commissioner Bevan, "Aye," Commissioner Graf, "Aye" Commissioner Montano, "Aye," Chairman Robinson, "Aye." The motion passed.

**5. Public Hearing and Decision on a Conditional Use Permit request for Stephen and Annie Culley to allow additional height for a detached accessory building in the RR-1 Rural Residential zoning district on approximately 0.95 acres located at 1010 West Vine Street.**

Presented by Jim Bolser.

Mr. Bolser apologized to the applicants because their name on the agenda was incorrect. Their name is Culley not Currey as listed on the agenda. The staff report is correct. This application is almost identical to the prior application. The applicants are requesting additional height on a proposed accessory building. The drawings of the proposed building were shown on screen. The number that was assigned in the staff report is to give a little leeway in the height knowing development conditions can change specific dimensions. The staff has recommended favorable with the conditions outlined in the staff report.

Mr. Bolser asked for any questions or comments. Commissioner Graf asked if the same approach was used to evaluate both structures in the prior two conditional use reports. Mr. Bolser stated that was the intent.

Chairman Robinson asked for any additional questions or comments, there weren't any.

Chairman Robinson opened the public hearing; there weren't any comments. Chairman Robinson closed the public hearing.

**Commissioner Graf motioned to approve the Conditions Use Permit Request by Stephen and Annie Culley, application number P18-566, based on the findings and subject to the conditions listed in the Staff Report dated September 5, 2018.** Commissioner Sloan seconded the motion. The vote was as follows: Commissioner Hammer, "Aye," Commissioner Hamilton, "Aye," Commissioner Sloan, "Aye," Commissioner Bevan, "Aye," Commissioner Graf, "Aye," Commissioner Montano, "Aye," Chairman Robinson, "Aye." The motion passed.

6. **Recommendation on a Subdivision Final Plat request by Bach Homes for the 33-lot Copper Canyon Subdivision, Phase 6 in the R1-7 PUD Residential zoning district on approximately 8.78 acres located at approximately 500 West Tooele Boulevard.**

Presented by Jim Bolser.

Early this summer the Council reviewed the preliminary plat for the same subdivision. This is the sixth phase of the Copper Canyon Development. The map of the subdivision was shown with the outline of the proposed phase. The prior phases have been completed and its time to look at the final plat approval for the next plat in question. The next plat is a 33-lot single family home phase. Conditions have been met in prior phases and this is a recommendation from the staff report for approval to the final plat approval.

Chairman Robinson asked the Commission if they had any questions or comments; there weren't any.

**Commissioner Sloan moved to forward a positive recommendation to the City Council for the Cooper Canyon Homes Subdivision Phase 6 Final Plat Request by Bach Homes, application P18-257, based on the findings and subject to conditions listed in the Staff Report dated September 5, 2018.** Commissioner Hammer seconded the motion. The vote was as follows: Commissioner Hammer, "Aye," Commissioner Hamilton, "Aye," Commissioner Sloan, "Aye," Commissioner Bevan, "Aye," Commissioner Graf, "Aye," Commissioner Montano, "Aye," Chairman Robinson, "Aye." The motion passed.

7. **Review and Approval of Planning Commission minutes for meeting held August 22, 2018.**

Chairman Robinson asked the Commission if they had any questions or concerns; there weren't any.

Commissioner Hammer stated the minutes looked great.

Commissioner Hammer moved to approve minutes from the meeting held on August 22, 2018. Commissioner Bevan seconded the motion. The vote was as follows: Commissioner Hammer, "Aye," Commissioner Hamilton, "Aye," Commissioner Sloan, "Aye," Commissioner Bevan, "Aye," Commissioner Graf, "Aye," Commissioner Montano, "Aye," Chairman Robinson, "Aye." The motion passed.

8. **Adjourn**

Commissioner Hammer moved to adjourn the meeting. The meeting adjourned at 7:19 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.*