

**TOOELE CITY PLANNING COMMISSION MINUTES**  
**November 28, 2018**

**Date:** Wednesday, November 28, 2018

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

**Commission Members Present:**

Tony Graf  
Tyson Hamilton  
Bucky Whitehouse  
Phil Montano  
Melanie Hammer

**Commissioner Members Excused:**

Chris Sloan  
Matt Robinson  
Shaunna Bevan

**City Employees Present**

Jim Bolser, Community Development Director  
Andrew Aagard, City Planner  
Paul Hansen, City Engineer

**City Employees Excused:**

Roger Baker, City Attorney

**Council Member Present:**

Council Member McCall  
Council Member Gochis

Minutes prepared by Kelly Odermott

Mr. Bolser called the meeting to order at 7:00 p.m.

**1. Pledge of Allegiance**

The Pledge of Allegiance was led by Mr. Bolser.

**2. Roll Call**

Phil Montano, Present  
Tyson Hamilton, Present  
Tony Graf, Present  
Bucky Whitehouse, Present  
Melanie Hammer, Present

Mr. Bolser stated that the Planning Commission was in an atypical situation for this evening's meeting where the Planning Commission would need to elect a temporary chair to conduct the business for the evening since the Chair and Vice Chair were not present.

Commissioner Hamilton motioned for Commissioner Graf to serve as a temporary chair. Commissioner Whitehouse seconded the motion. With no further nominations offered Mr. Bolser closed the nominations and asked Commissioner Graf if he was willing to serve as temporary chair. Commissioner Graf Accepted. Mr. Bolser stated that since there was only one nomination and Commissioner Graf accepted that there is no need for any of vote and Commissioner Graf would serve as temporary chair for this meeting.

Mr. Bolser reminded the Commission that with only five Commissioners present it still takes four votes to sustain for or against items presented during the meeting.

3. **Public Hearing and Recommendation on a zoning map amendment request by Doug Kingsman of Ensign Engineering to reassign the zoning designation from the R1-7 Residential zoning district to the HDR High Density Residential zoning district for the Millennial Park Development located at approximately 300 West 400 North on 3 Acres.**

Presented by Andrew Aagard

Mr. Aagard stated that this is an application submitted by Doug Kinsman of Ensign Engineering requesting the reassignment of zoning for two separate parcels located North of 400 North and along both sides of 300 West. A map of the area was shown on the screen. The subject properties are surrounded by various land uses, to the north and east is a mobile home subdivision. To the south are some single-family homes and agricultural zoning. To the west is the Dow James Park. All properties in the area are zoned R1-7 Residential, which is residential zoning that requires largely residential development. The applicant is requesting the property be rezoned to HDR High Density Residential. The rezoning would facilitate the development of multifamily townhomes. A site plan has been submitted to the City, but has been omitted from the packets, because the purpose of this agenda item is for land use and rezoning, not site plan review. High density land use is already located within the area at the mobile home development to the North and East. Located to the south is an apartment complex with density approaching the maximum unit density for HDR of 16 units per acre. Mr. Aagard stated that rezoning to HDR would be comparable to the surrounding land uses. The proposal does include 5-unit townhome properties. The current City ordinance does require 5 acres for this type of development. The lot is only three acres. Currently there is an ordinance amendment to remove the 5-acre restriction. The Planning Commission has already approved the amendment change and the City Council will be hearing the amendment item in an upcoming City Council meeting. A condition has been added to the Staff Report that will make the approval rezone request contingent on the approval of the ordinance amendment. Staff is recommending approval.

Chairman Graf asked the Commission if they had any comments or concerns, there weren't any.

Chairman Graf opened the public hearing.

Mr. Rick Henwood stepped forward and wanted to ask the Commission a question. Mr. Henwood stated that years ago this whole block was high density. He is one of the owners of the mobile home park. He is okay with the change with being the neighbor of the property. He just wanted to ask if all the parcels in the area could be changed to high density.

Mr. Ted Payne stepped forward to address the Commission. He is a co-owner of the property in question. He stated that the hope of the project is to bring something of great worth to the area, and to offer a transition of high density to single family homes. They want to provide high quality product to residents. Also, they will include some nice open space for residents. He believes this will give character to the park and give the area a nice quality place for families to enjoy.

Mr. Daryl Moore stepped forward to address the Planning Commission. He stated that he lives and owns property adjacent to the project. He has spoken to the City about developing his lot. He hopes to put in a duplex or four plex on the land. He wanted to know if 250 West, which is a dirt road, will be finished with the project. He further stated that he is all in favor of the development.

Chairman Graf closed the public hearing.

Chairman Graf asked if there were any further comments or questions from the Commission. Chairman Graf stated that the Commission had received Mr. Henwood's letter. Chairman Graf wanted to clarify that the Commission would not be able to rezone the other land. Mr. Bolser stated that this application specifically addresses the land being discussed in the meeting. If the Planning Commission supports the idea of rezoning a larger area, the Planning Commission does have the ability to make a recommendation to the City Council. The rezoning could not be done with the current application and either the property owners or the Council would have to sponsor a separate application to rezone that additional land.

**Commissioner Whitehouse moved to forward a positive recommendation to the City Council for the Millennial Park zoning map amendment request by Doug Kingsman, to reassign the subject property to the HDR High Density Residential zoning district, application P18-785, based on the findings and subject to the conditions listed in the Staff Report dated November 16, 2018.** Commissioner Hamilton seconded the motion. The vote as follows: Commissioner Montano, "Aye," Commissioner Hamilton, "Aye," Commissioner Hammer, "Aye," Commissioner Whitehouse, "Aye," Chairman Graf, "Aye." The motion passed.

**4. Recommendation of a Final Plat Subdivision request by Brock Peterson of the Peterson Industrial Depot to amend the Peterson Industrial Depot Plat 2c Subdivision, located at approximately 90 South Garnet Street, creating lots 205 & 206 on approximately 39 acres.**

Presented by Andrew Aagard

Mr. Aagard stated that this is an application submitted by Brock Peterson of the Peterson Industrial Depot. A map of the parcel was shown on the screen. This is a 39-acre parcel that is

located by Garnet Street and J Avenue. Surrounding land uses are all industrial land uses. The applicant is proposing a new subdivision map that amends the current plats to make two parcels, lot 205 which is 3.56 acres and lot 206 which will be 35 acres. Within the Industrial zone there are no minimum lot requirements and the lots exceed the 80-foot lot width requirement. This application does not include and physical amendments to the site.

Chairman Graf asked the Commissioner if they had any questions or comments.

Commissioner Hamilton asked about the red stripe that is shown on the East side of the property. Mr. Aagard stated that would be addressed on the next application on the agenda.

**Commissioner Hammer moved to forward a positive recommendation to the City Council for the final plat request by Brock Peterson, representing Peterson Industrial Depot, to amend the existing Peterson Industrial Depot plat 2c Subdivision creating plats 205 and 206, application P18-495, based on the findings and subject to the conditions listed in the Staff Report dated November 19, 2018 . Commissioner Whitehouse seconded the motion. The votes was as follows, Commissioner Montano, "Aye," Commissioner Hamilton, "Aye," Commissioner Hammer, "Aye," Commissioner Whitehouse, "Aye," Chairman Graf, "Aye." The motion passed.**

**5. Recommendation on a Final Plat Subdivision request by Brock Peterson of the Peterson Industrial Depot amending lot 205 of the Peterson Industrial Depot Plat 2C Subdivision to create two condominium units in building 659 on 4.25 acres at approximately 90 South Garnet Street.**

Presented by Andrew Aagard

Mr. Aagard stated that this item is a follow up to the prior item. An aerial photograph was shown on the screen. The property is on the corner of I avenue and Garnet Street. The property is zoned PID PUD Industrial, as are all the properties to the north, west and south. Lots to the east are zoned Industrial. This final plat request is amending lot 205 of the Peterson Industrial Depot Plat 2C Subdivision to create two condominium units in building 659. Essentially the building will be divided into two units and each unit will be individually owned. Common areas will be at H Avenue and limited spots around building 659. Mr. Aagard stated that in response to Commissioner Hamilton's question earlier that strip will be privately maintained. It is included in the roadway. Each condominium in the building will be approximately 1 acre. There are no land use issues, the plat only creates plats for ownership. Staff is recommending approval.

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

**Commissioner Whitehouse moved to forward a positive recommendation to the City Council for the final plat amendment to lot 205 of the Peterson Industrial Depot, Plat 2c, requested by Brock Peterson, representing Peterson Industrial Depot for the purpose of creating two condominium units in building 659, application P18-496, based on the findings and subject to**

**the conditions listed in the Staff Report dated November 19, 2018 .** Commissioner Hammer seconded the motion. The votes was as follows, Commissioner Montano, “Aye,” Commissioner Hamilton, “Aye,” Commissioner Hammer, “Aye,” Commissioner Whitehouse, “Aye,” Chairman Graf, “Aye.” The motion passed

**6. Review and Approval of Planning Commission minutes for meeting held November 14, 2018.**

Chairman Graf asked the Commission if they had any questions or concerns.

**Commissioner Hammer moved to approve minutes from the meeting held on November 14, 2018.** Commissioner Hamilton seconded the motion. The vote was as follows: Commissioner Montano, “Aye,” Commissioner Hamilton, “Aye,” Commissioner Hammer, “Aye,” Commissioner Whitehouse, “Aye,” Chairman Graf, “Aye.” The motion passed.

**7. Adjourn**

Commissioner Hammer move to adjourn the meeting. The meeting adjourned at 7:24 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 19<sup>th</sup> day of December, 2018

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Tony Graf, Chairman, Tooele City Planning Commission