

TOOELE CITY PLANNING COMMISSION MINUTES
February 13, 2019

Date: Wednesday, February 13, 2019

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

Commission Members Present:

Tony Graf
Tyson Hamilton
Melanie Hammer
Chris Sloan
Shaunna Bevan
Ray Smart
Phil Montano

Commission Members Excused:

Matt Robinson
Bucky Whitehouse

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 Excused:

Council Member McCall
Council Member Gochis

Minutes prepared by Kelly Odermott

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

1. Pledge of Allegiance

The Pledge of Allegiance was led by Commissioner Hamilton.

2. Roll Call

Tyson Hamilton, Present
Tony Graf, Present
Ray Smart, Present
Melanie Hammer, Present
Chris Sloan, Present

Shaunna Bevan, Present
Phil Montano, Present

3. Public Hearing and Decision on a Conditional Use Permit to allow the use of “Chemical Manufacture and Storage” for Savage Tooele Transload, and industrial rail port, located at 345 South Kira Drive in the I industrial zoning district on approximately 61 acres.

Presented by Andrew Aagard

Mr. Aagard stated that this is second application by Savage Services to conduct a Transload business in Tooele City’s Industrial Depot. A map of the site was shown on screen. The parcel is 61 acres, but actual area that will be used is considerably smaller. The property is zoned PID Industrial, and within that zone Chemical Manufacture and Storage requires a Conditional Use Permit. Similar to the original Conditional Use Permit, Savage Services wishes to transfer liquid ammonia nitrate from railcars to semi-truck transport. Chemicals will be stored in railcars on the site for periods of up to 24 hours prior to the transfer. The storage of chemicals facilitates the need for the Conditional Use Permit. The facility will include a temporary office trailer and other utilities needed for the operation. The facility will be temporary until the permanent facility is constructed nearby. Essentially the application is almost identical to the previous application. That application was approved in early January 2019. There are ten conditions of approval. Each condition has a corresponding finding of fact in the Staff Report and the model motion is sufficient to address the findings of fact required by Ordinance. In short the conditions are similar to the initial application and pertain to semi-truck traffic using established truck routes, the expiration of the Conditional Use Permit to ensure the facility stays temporary, obtaining a business license, spill containment complying with local, state, and federal codes, and finally future permanent facilities have permanent utilities and disclosing to the Tooele Fire Department any change in product to be transferred to the site. Those are the same conditions which were approved previously with the initial application. Mr. Aagard stated for clarification that this is a separate application and not amending the original application. Savage Transport will still have products on the other site. They just transferred a part of the business to a new location. Staff is recommending approval of the application with the ten conditions listed in the Staff Report.

Chairman Graf asked the Commission if they have any comments or questions, there were none.

Chairman Graf opened the public hearing, there were no comments. Chairman Graf closed the public hearing.

Mr. Aagard stated for the Planning Commission that if the model motion listed in the Staff Report is utilized the Planning Commission will not have to provide a finding of fact. The model motion covers the findings of fact and complies with the Ordinance requirement.

Chairman Graf asked if there were any comments on the findings of fact; there were none.

Commissioner Sloan moved to approve the Conditional Use Permit by Brock Peterson, representing Savage Services Corporation permitting “Chemical Manufacture and Storage” on property located at 345 South Kira Drive, application number P19-34, subject to the findings of fact and subject to the conditions listed in the Staff Report dated February 5, 2019.

Commissioner Hamilton seconded the motion. The vote as follows: Commissioner Hamilton, “Aye,” Commissioner Hammer, “Aye,” Commissioner Sloan, “Aye,” Commissioner Bevan, “Aye,” Commissioner Smart, “Aye,” Commissioner Montano, “Aye,” Chairman Graf, “Aye.” The motion passes.

4. Public Hearing and Decision on a Conditional Use Permit to allow the use of “Chemical Manufacture and Storage” for Davey Bickford Transload, and industrial rail port, located at 1600 West K Avenue in the I Industrial zoning district on approximately 17.5 acres.

Presented by Andrew Aagard

Mr. Aagard stated this is another application to authorize a transload business. As with the earlier application there will be some storage of ammonium nitrate prill, which is a solid state of the product. The storage will be onsite in railcars for up to and possibly more than 24 hours. Due to the storage of the chemical there is a need for a Conditional Use Permit. As mentioned, the property is zoned I Industrial. A map of the property was shown on screen. This application does differ from the previous application in that this is a permanent facility and there will be no buildings on site. The applicant has explained to Mr. Aagard that there will just be railroad spurs and transload equipment onsite. Employees will arrive at the site, transfer the material and return to the main staging area or main office area. Staff is recommending approval of the Conditional Use Permit with similar conditions as listed in the prior application item. There are only seven conditions with this application due to the permanent nature and no office building on site. Conditions relate to truck traffic using established truck routes, obtaining a business license, ensuring chemical spills are cleaned up in accordance with local, state, and federal laws, and that any change in product type is communicated with Tooele Fire Department prior to commencing with transload of new products. The applicant has provided a site plan of the railroad spurs. Mr. Aagard stated that has mentioned previously each condition should have a findings of fact in the Staff Report and the model motion should cover the findings of fact required by Ordinance.

Chairman Graf had a question about the site map. Does the rail spur make a 90-degree angle? Mr. Aagard stated he did not believe so that there is some equipment to stop the motion of a locomotive and the line terminates at the green line.

Chairman Graf asked the Commission if there were any questions and comments; there were none.

Chairman Graf opened the public hearing.

Mr. Steling Zigler stepped forward to address the Commission. He is the plant manager of the Rush Valley operations and would be overseeing this facility. He asked the Commission if they had any questions. Commissioner Sloan asked about the pink line on the map. Mr. Zigler stated

the green line is theirs but would have to look at the map closer to determine what the pink line is.

Chairman Graf closed the public hearing.

Chairman Graf asked if there were any comments or questions about the findings of fact; there were none.

Commissioner Hamilton moved to the Conditional Use Permit Request by Davey Bickford, representing Davey Bickford Transload permitting “Chemical Manufacture and Storage” on property located at 1600 West K Avenue, application number P19-44, based on the findings of fact and subject to the conditions listed in the Staff Report dated February 6, 2019.

Commissioner Bevan seconded the motion. The vote as follows: Commissioner Hamilton, “Aye,” Commissioner Hammer, “Aye,” Commissioner Sloan, “Aye,” Commissioner Bevan, “Aye,” Commissioner Smart, “Aye,” Commissioner Montano, “Aye,” Chairman Graf, “Aye.” The motion passed.

5. Recommendation on a Subdivision Preliminary Plan for the Overlake Estates 1L Subdivision, Phases 2-6, located at approximately 500 West 2000 North for a 125-lot single-family residential development on approximately 30.5 acres.

Mr. Aagard stated that this is Overlake Phases 1L, Phases 2-6, being proposed with this application. A map of the property was shown on screen. It is just west of the existing 1L subdivision. Property is currently zoned R1-7 zone and permits 7000 Square foot single family residential lots. All surround properties are R1-7. The proposal is to subdivide 31 acres into 125 single-family residential lots. Each lot meets or exceeds requirements for lot size, width, and or frontage. Just south of 2000 North there are several double frontage lots. Mr. Aagard stated that when double frontage lots occur the developer must install or maintain landscaping in the park strip and install masonry fencing on the back of those lots. The developer did submit a landscaping plan that is included in the packets. The plan is to install trees every 35 feet on center, protecting the trees with metal tree grates and the rest of the park strip will be filled with concrete and brush to provide texture. A six-foot solid precast masonry wall will be installed along the rear property lines of those lots. This will also be reviewed during the final plat review. There will be five phases consisting of 18 and 32 lots. Each phase will be required to submit for final plat approval. Staff is recommending approval with the basic conditions listed in the Staff Report.

Chairman Graf asked if the Planning Commission had any questions or comments.

Commissioner Smart stated that the last subdivision approval discussed water with Mr. Hansen. During the discussion there was mention of impact fees and how more water is found for development and water rights. Commissioner Smart asked who do we believe about the aquifers and levels? Commissioner Smart asked who do we ask about how much water is required? Mr. Aagard stated that the developers have to provide the water for developments. He is unable to address the aquifer situation. The developers have to obtain the water rights and provide them to the City.

Mr. Hansen stepped forward to answer the question. He stated that the City is learning more about the aquifer every day. As the City develops and looks for more resources, the aquifer becomes better defined and where water resources are. The City currently meets the need within state standards and will continue to meet the standard.

Chairman Graf asked the Commission if there were any further comments or questions, there were none.

Commissioner Bevan moved to forward a positive recommendation to the City Council for the Overlake Estates 1L Phases 206 Plan Request by Dan Reeve, representing Perry Homes Utah, Inc, for the creation of 125 single-family residential lots at approximately 500 West 2000 North, application number P18-587, subject to the findings of fact and subject to the conditions listed in the Staff Report dated February 2, 2019. Commissioner Sloan seconded the motion. The vote as follows: Commissioner Hamilton, "Aye," Commissioner Hammer, "Aye," Commissioner Sloan, "Aye," Commissioner Bevan, "Aye," Commissioner Smart, "Aye," Commissioner Montano, "Aye," Chairman Graf, "Aye." The motion passes.

6. **Review and Approval of Planning Commission minutes for meeting held January 23, 2019.**

Chairman Graf asked the Commission if they had any questions or comments, there were none.

Commissioner Hammer moved to approve minutes from the meeting held on January 23, 2019. Chairman Hamilton seconded the motion. The vote as follows: Commissioner Hamilton, "Aye," Commissioner Hammer, "Aye," Commissioner Sloan, "Aye," Commissioner Bevan, "Aye," Commissioner Smart, "Aye," Commissioner Montano "aye," Chairman Graf, "Aye." The motion passed.

7. **Adjourn**

Commissioner Sloan move to adjourn the meeting. The meeting adjourned at 7:25 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 27th day of February, 2019

Tony Graf, Chairman, Tooele City Planning Commission