

TOOELE CITY PLANNING COMMISSION MINUTES
June 26, 2019

Date: Wednesday, June 26, 2019

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

Commission Members Present:

Tony Graf
Shauna Bevan
Phil Montano
Ray Smart
Chris Sloan
Bucky Whitehouse
Tyson Hamilton

Commission Members Excused:

Melanie Hammer
Matt Robinson

City Employees Present:

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

Council Members Present:

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 Bevan.

2. Roll Call

Tyson Hamilton, Present
Tony Graf, Present
Ray Smart, Present
Shauna Bevan, Present
Phil Montano, Present
Chris Sloan, Present
Bucky Whitehouse, Present

3. **Public Hearing and Decision on a Conditional Use Permit to allow for additional height on a new accessory structure located at 244 North 4th Street in the R1-7 Residential zoning district on .18 acres.**

Presented by Andrew Aagard

Mr. Aagard stated the property is south of Cedar Street and is adjacent to existing commercial businesses to the north. The zoning is R1-7 Residential with some MU-G Mixed Use General zoning to north and west. The remaining surrounding properties are also R1-7 Residential. The applicant is requesting a Conditional Use Permit to allow additional height on a proposed detached accessory garage. City Code allows up to 15 feet in height for accessory structures as measured to the midpoint of pitch on the roof. City Code also permits buildings to be constructed taller than 15 feet with a Conditional Use Permit. The applicant is proposing the height of the structure to be 16 feet 5 inches. The additional height being requested is not out of character for the neighborhood as there are numerous accessory structures. Maximum home height within the zone is 35 feet. Staff is recommending approval. One of the conditions of approval is the allowable height of the building up to 17 feet which is slightly higher than the height requested of 16 feet 5 inches. This is to account for any unseen construction issues which may account for height variances. The item is a public hearing and notices were mailed to adjacent properties. No comments or concerns were registered by staff since those notices were sent out.

Chairman Graf asked if there were any comments or questions from the Commission.

Commissioner Sloan asked if there was a site plan in the packet because he had not noticed one. Mr. Aagard stated that the site plan was not included in the packet. Commissioner Sloan asked if the building meets all the requirements. Mr. Aagard stated that the applicant had been working closely with City staff to get the project approved.

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

Mr. Marshall Keeling, the applicant, thanked the staff for the process and help with the application.

Commissioner Sloan motioned to approve the Conditional Use Permit Request by Marshall Keeling to permit increased building height for an attached accessory structure, application number P19-398, based on the findings and subject to the conditions listed in the Staff Report dated June 19, 2019. Commissioner Hamilton seconded the motion. The vote as follows: Commissioner Hamilton, "Aye," Commissioner Smart, "Aye," Commissioner Sloan, "Aye," Commissioner Bevan, "Aye," Commissioner Whitehouse, "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 “Personal Services” for The Lash Spa Located at 230 South Main Street in the MU-G Mixed Use General zoning district.**

Presented by Andrew Aagard

Mr. Aagard stated that the proposed Conditional Use Permit is for an existing building. It was previously a medical business and the medical business has left its tenant space and the lash spa wishes to occupy that spot. To the north of the property are some existing commercial uses and to the south are some commercial and office uses. The property is zoned MU-G, Mixed Use General as are the properties to the north and south. Properties to the west are R1-7 Residential zoning. The applicant is requesting a Conditional Use Permit to operate a skin care and spa services business. Tooele City zoning categorizes the proposed use as personal services and in the MU-G Mixed Use General zone this requires a Conditional Use Permit. The Staff Report does indicate that the building is vacant, but there is a dentist is still operating a business in the building. It is a multitenant building. Currently there are 28 available parking stalls on the site. The dental office based upon ordinance requirements with calculations requires 10 parking stalls. The personal services use if it occupied the entire building it would require 15 parking stalls. Since they are only occupying a portion of the building, they will need a considerably smaller number of stalls. There is no issue with meeting parking lot requirements and there is ample space to expand if needed. Staff is recommending approval with the basic conditions listed in the Staff Report. This item is a public hearing and notices were sent out to the neighboring properties. No comments were recorded by staff.

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

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

Commissioner Hamilton motioned to approve the Conditional Use Permit Request by Bruce Kitchi Grant to permit personal service, application number P19-409, based on the findings and subject to the conditions listed in the Staff Report dated June 19, 2019. Commissioner Smart seconded the motion. The vote as follows: Commissioner Hamilton, “Aye,” Commissioner Smart, “Aye,” Commissioner Sloan, “Aye,” Commissioner Bevan, “Aye,” Commissioner Whitehouse, “Aye,” Commissioner Montano, “Aye,” Chairman Graf, “Aye.” The motion passes.

5. **Review and Approval of Planning Commission minutes for meeting held June 12, 2019.**

Chairman Graf asked the Commission if there were any comments or questions.

Chairman Graf stated that there was a word at the very end of the second item that stated overtime, but should have been split to say over time.

Commissioner Bevan moved to approve minutes from the meeting held on June 12, 2019 as amended. Chairman Whitehouse seconded the motion. The vote as follows: Commissioner

Hamilton, "Aye," Commissioner Hammer, "Aye," Commissioner Sloan, "Aye," Commissioner Bevan, "Aye," Commissioner Robinson, "Aye," Commissioner Montano "aye," Chairman Graf, "Aye." The motion passed.

6. **Adjourn**

Commissioner Bevan move to adjourn the meeting. The meeting adjourned at 7:12p.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 July, 2019

Tony Graf, Chairman, Tooele City Planning Commission