

TOOELE CITY PLANNING COMMISSION MINUTES

Date: Wednesday, May 13, 2020

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

Commission Members Present:

Shauna Bevan
Melanie Hammer
Tyson Hamilton
Matt Robinson
Chris Sloan
Bucky Whitehouse
Dave McCall
Nathan Thomas
Ray Smart

City Employees Present:

Andrew Aagard, City Planner
Jim Bolser, Community Development Director
Roger Baker, City Attorney
Paul Hansen, City Engineer
Michelle Pitt, City Recorder
Cylee Presley, Deputy City Recorder

Council Members Present:

Council Member Ed Hansen
Council Member Justin Brady

Minutes prepared by Kelly Odermott

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

1. Pledge of Allegiance

The Pledge of Allegiance was led by Commissioner Sloan.

2. Roll Call

Matt Robinson, Present
Ray Smart, Present
Shauna Bevan, Present
Tyson Hamilton, Present
Chris Sloan, Present
Bucky Whitehouse, Present
Nathan Thomas, Present

Chairman Hamilton stated that the City has implemented Governor Herbert's and Mayor Winn's; Emergency Declarations regarding public gatherings for all public meetings. Public participation is still encouraged in the government process and citizens while not able to attend the meetings, will be asked to join the meeting electronically through Tooele City on Facebook. Comments may be made through email pcpubliccomment@tooelecity.org at any time during the meeting.

3. Public Hearing and Decision on a Conditional Use Permit to allow an "Accessory Drive Through Facility" for Swig Tooele, to be located at 220 North Main Street in the GC General Commercial zoning district on approximately 0.15 acres.

Presented by Andrew Aagard

Mr. Aagard stated that a drive through soda facility is being proposed for a vacant lot located just north of the existing Wells Fargo bank and south of the VASA Fitness parking lot. This parcel has historically been used as a firework stand and for the most part has been a vacant parcel. The property is zoned GC General Commercial, as are all of the surrounding properties. The applicant has provided a site plan. Mr. Aagard emphasized that the hearing is not to review the site plan, but a review of the Conditional Use Permit authorizing the drive through facility. The site plan is included to demonstrate how the applicant proposes to configure the drive through facility and how it will function. Vehicles would enter the drive through from the east and cue east of the building. Customers would then be required to exit onto SR 36 and must turn right upon exiting.

Mr. Aagard stated that there were some concerns noted by staff during reviewing of the application. The first being the access onto SR 36 is currently a right-in, right-out access. The location proposed with the drive through aisle will necessitate that the drive through exit be right-out only exit. The second issue being vehicle stacking. It has been witnessed by City personnel that a similar business located west of the Walmart building, is very popular and has vehicle stacking that exceeds six cars and routinely spills into the roadway. Staff is concerned that this business will create similar vehicle stacking. Although vehicles wont que on public streets, there is a possibility of vehicle stacking could block the critical drive aisles for Vasa Fitness and Wells Fargo bank.

Mr. Aagard stated that in response to item one, the applicant has provided documentation from the Utah Department of Transportation demonstrating that UDOT, has approved the reconfigured right-out only access to SR 36. Staff has also attached a condition of approval for the applicant to obtain any remaining pertinent approvals from UDOT for both access management and utilities access. SR 36 needs to be accessed for utility access. The applicants response for concern number two, the applicant has provided plans for peak time vehicle stacking. The plans provided demonstrate the two vehicle queuing lane will be utilized and employees referred to as line busters, will use a point of sale tablets managing vehicle queuing and keep the customers moving in an efficient manner, thus removing the stacking of vehicles back in the critical drive aisles. For larger orders customers will be directed to park in a vehicle overflow area north of the drive through aisles. With this plan in place, the applicant can maintain peak volume without blocking drive aisles or stacking vehicles onto neighboring properties.

Mr. Aagard stated that staff has attached conditions to the approval requiring the applicant to utilize and uphold the planned vehicle queuing lanes in an orderly manner and avoid blocking critical aisles. The applicant has provided to staff, confirmed documentation from VASA Fitness authorizing their parking lot to be shared for the overflow parking. The applicant has provided cross access easement documentation from the property owners of both Wells Fargo and Vasa Fitness allowing customers to cross the property to access the Swig drive through.

Mr. Aagard stated that this Conditional Use Permit is a public hearing and notices were sent to all property owners within a 200 foot radius. Staff has not received any comments or concerns from those within the noticing radius. Staff is confident that if the applicant can follow and adhere to the plans, that the drive through aisle can function in a safe and efficient manner. It should not create any serious detrimental impacts to the surrounding properties. Staff is recommending approval of the Conditional Use Permit, with the five basic housekeeping conditions in the Staff Report, in addition to the two conditions mentioned concerning access approvals from UDOT and adhering to drive through stacking plan.

Chairman Hamilton asked if there were any comments or concerns from the Commission.

Commissioner Sloan stated based on the example of the other business, assuming that the City has the final hammer in regards to the Conditional Use Permit. So, if they fall outside of the conditions that are set, specifically the stacking and other issues, does the City have the ability to do something about that, so we don't run into the problems, like at the other business. Mr. Aagard stated that the if a problem is detected, the City can reopen the Conditional Use Permit and the Planning Commission can revisit that permit.

Chairman Hamilton opened the public hearing and stated the hearing would close after agenda item 6.

4. Recommendation on a Minor Subdivision Request for the Young 2 Lot Subdivision by Chris Young proposed to be located at 417 West 200 South in the R1-7 Residential Zoning District on 1.27 acres.

Presented by Andrew Aagard

Mr. Aagard stated this is an application that proposes to subdivide an existing lot of record and create two platted subdivision lots. The property is currently a double fronting lot with frontage onto 200 South, as well as 400 West. The property is zoned R1-7 Residential, as are all of the surrounding properties. There is some RR-1 zoning to the north west of the subject property. This application subdivides the 1.27 parcel into two lots. There is an existing home on the property. The existing home and garage front and access 200 South and will continue to do so, post subdivision. They will remain on lot two and be one half acre. The existing home and structures meet or exceed setbacks for the property line as required by the R1-7 Residential zone. Lot number one will be .77 acres and will access 400 West. The lot will have 92 feet of frontage on 400 West. Both lots exceed R1-7 Residential zoning requirements for lot size, lot width and lot frontages. The subdivision does not create any non conformities and meets City

standards for development. Staff is recommending approval with the basic conditions listed in the Staff Report.

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

Commissioner Robinson motion to forward a positive recommendation to the City Council for the Young 2 Lot Subdivision, Minor Subdivision Request by Chris Young for the purpose of subdividing property at 417 West 200 South, application number P19-727, based on the findings and subject to the conditions listed in the Staff Report dated May 7, 2020.

Commissioner Sloan seconded the motion. The vote as follows: Commissioner Whitehouse, "Aye," Commissioner Sloan, "Aye," Commissioner Thomas, "Aye," Commissioner Bevan, "Aye," Commissioner Robinson, "Aye," Commissioner Smart, "Aye," Chairman Hamilton, "Aye." The motion passes.

5. **Recommendation on a Minor Subdivision request that will amend the existing Utah Industrial Depot No 36 Subdivision by Peterson Industrial Depot located at approximately 455 South Garnet Street in the Industrial zoning district on 52.3 acres.**

Presented by Andrew Aagard

Mr. Aagard stated the application proposes to subdivide a 52.3 acre parcel. It is an industrial area that lies west of the Union Pacific Railroad. The property is largely vacant other than a water tank parking area. Property is zoned I Industrial as are all of the surrounding properties. The property located to the south is located in unincorporated Tooele County and the Army Depot. The subdivision proposes to amend existing subdivision number 36 by splitting the lot into two lots. Lot 3602 will be 39.8 acres and lot 3603 will be 36.5 acres. Lots will have access to Garnet Street and B Avenue. Both are public streets. The industrial zone does not have a minimum lot size requirement and both lots exceed the minimum lot width requirement. Staff is recommending approval with the conditions listed in the staff report.

Commissioner Bevan motioned to forward a positive recommendation to the City Council for the Utah Industrial Depot No 36 Minor Subdivision request by Aaron Peterson, representing Peterson Industrial Depot, application number P20-180, based on the findings and subject to the conditions listed in the Staff report dated May 7, 2020. Commissioner Whitehouse seconded the motion. The vote as follows: Commissioner Whitehouse, "Aye," Commissioner Sloan, "Aye," Commissioner Thomas, "Aye," Commissioner Bevan, "Aye," Commissioner Robinson, "Aye," Commissioner Smart, "Aye," Chairman Hamilton, "Aye." The motion passes.

6. **Review and Discussion of the initial draft of the Parks, Open Space, and Recreation Element of the Tooele City General Plan revision.**

Presented by Bolser

Mr. Bolser stated for about the last seven or eight months going through a process of a new general plan for the community. Many of those elements are features that were already part of the Tooele General plan. This item tonight has not been previously included. This will serve the

community and provide background. For reference purposes, the General Plan Elements are not specific master plans for the most part, there are some that are, but for the most part they are not. They are generalized guidelines that will facilitate more in-depth master plans. This is a perfect example of one. For instance, the parks, open space, and recreation element master plan would be very specific in the features to build in a park, exactly where to put that park, exactly the dimensions would be, and exactly the materials of the trail. This is more an element to say these are the type of principles that when the City does plan a park, trail, or pathway, the City wants to look too goals and what would be achieved by doing this. This is more an umbrella under which the city would actually build more specific plan that pursues closer too construction. The maps in the packet have been tweaked since the packets were sent out. The maps have not change, but have been visually changed so they are easier to be understood. In the plan there are goals and adjectives there is discussion and roster in the document that is a current list of the City's current parks, and open space facilities.

Mr. Bolser described the map of the park, open space, and recreation elements. There are four types of parks identified, neighborhood parks that are more localized, subdivision scale parks, community parks that are a larger scale for a broader audience, community parks that are even more generalized and have a large are of attraction, and specialized purpose, such as Oquirrh Hills Golf Course, dedicated open space reserved for open space preservation, city cemetery, and rodeo grounds. The map identifies them by their color coded categories on the map.

Mr. Bolser moved to a second map and shows trails and pathways. The idea for a trails and pathways, being somewhat general, is to identify the existing facilities and what type of facilities they are, but then look to the future and determine connectivity the City would like to have of a non-motorized characteristic, such as bicycles, running paths, and equestrian. The map has two edits that need to be noted; there was a line notated as a City facility from Sheep's Lane to Droubay Road, but it is in fact a County facility. The second error is a missed segment. There are the four types of facilities, the green being existing corridors in Tooele City these are exiting bike lanes that have been striped. The City has the 1000 North Corridor, from 100 East to Droubay Road, 100 East from 1000 North to Vine Street and Vine Street west from 100 East to 1200 West. There are red lines that are areas where the facility would be limited to on street, striping or sidewalk. These are future corridors for future expansion. The blue lines are corridors that there is potential space to have a separate facility, separated sidewalk, natural dirt path, asphalt or concrete trail, crushed stone, some sort of a surface that is separate from the roadway. Finally, the purple lines are Tooele County facilities that coincide with Tooele City community.

Mr. Bolser stated there are bicycle icons that notate trail head facilities, also color coded

Mr. Bolser left the discussion open to the Commission members.

Commissioner Smart stated the future bike paths, has there been a study to see the interest or need or is it a build it and they will come kind of a thing? Commissioner Smart noted that the existing green bike path, he has not seen a bike utilize it. Mr. Bolser stated that it is a little on both. He stated he has seen several bikes on the green bike paths. And he clarified that the City did not pay for the green bike paths. That was a UDOT grant project from the federal

government and the match that would have been a City fund was not paid for with City funds. Part of the reason the City is not seeing a lot of bicycle traffic, is fact that the city does not have a lot facilities yet. There is not an overly connected network yet. Some of the information is an informal study of where would people want to go, parks facilities, government center, commercial centers. What corridor best suits getting people into those areas? The staff has heard from citizens who want a plan, or question when the City will get a plan.

Chairman Hamilton asked the Commission if there were any other questions or comments

Commissioner Thomas stated that most meetings since he started, he has been talking about trails. He stated that he did not have a lot of comments and the plan appears to address a lot of his recommendations for open space, bike trails and making the community more pedestrian and cycle friendly community. He stated that he sees the goals and how does this plan fit into becoming best management practices or requirements. One of the goals or objectives is to encourage developers to connect to a trail system. In five years will the City be able to say to a subdivision, it's in the plan you should be doing that or will it say, it would be a good thing if you did that. Mr. Bolser stated that the intent is once it is in the General Plan, there are two things that can happen; one adjust the ordinances in the City Code that actually more specifically require certain things from development from the plan or secondly hope it gives the parks department the tools they need to put together formal documents that address best practices, specific design, when it goes to a Master Plan. When these questions come up with development or funding sources, there are tools for the parks department in a more specific plan, based off of this to be ready for these questions and to be acted upon.

Commissioner Robinson stated what factors were used to delineate where the trails would be off road or existing with the current street? Commissioner Robinson stated that on the map by Skyline Drive, there is an independent trail that merges into current city streets. Mr. Bolser stated the primary criteria, was is there existing development around it that would box the trail in with private properties. Or, is there an undeveloped side of the road, for instance on Skyline Drive across from the cemetery on the south side of the street it is identified as a separate path. On the north side of the road is the cemetery and the south side is native land giving the City room to expand. East of that there are homes on both sides of the road and the facility would be limited to the roadway, leading to questions of use of the sidewalk, stripe on the street, or moving the curb to have more shoulder space. Those items will come more in the best practices as part of the master plan. In the review it was looked at as what's there now, is there a plan in place, and also what is around it. Commissioner Robinson stated that the whole plan is to look at corridors that can be used logically and then identify if it could off road or on road

Commissioner Sloan stated based on the explanation of the property along Skyline Drive, by designating this is the property are the property owners locked in to this plan or the City by designating this way? Mr. Bolser stated he did not believe so, the parallel is something like the Master Transportation Plan for areas, such as the missing piece of Droubay Road off Vine Street. The idea is there is a straight line, where there isn't a facility currently, the idea is not that it follows a specific line at this plan level. At the level of funding and master planning, there is specific plans. It may be a cause of getting from here to there, a straight line may be feasible, but if it is not then the path may be curved, so long as we start here and end there. Those

points stay constant. A General Plan is identifying the points that the City would like and the Master Plan would identify the exact route the path needs to take. Mr. Bolser stated that with a lot of street corridors already established, it gets really easy to identify the street corridor.

Commissioner Bevan stated that she is happy about this and it is a really important part of who we are as a community and to maintain this open space and these family friendly areas. She is thrilled that this is being put in the General pan.

Chairman Hamilton stated that it addresses areas that need more of it. The colors on the map popped out.

Mr. Bolser stated that the next review of the General Plan Element for review is the land use plan. It is a big deal and there is a lot to it. Mr. Bolser stated that he had printed copies of the current land use map for each of the Commissioners to look at the entire community and what needs to change, what needs to stay the same, and what should be done differently. Right now, the discussion is anticipated for the second meeting in June. After review of the traffic plan which is being done by a contractor there can be discussions with the City Council and public hearings.

Chairman Hamilton went back to item three on the agenda for closure of the public hearing. He asked the Commission if there were any comments or questions.

Commissioner Thomas stated he had a question. On the site map where it showed the double row of cars, will both cars have to turn right at the same time. Mr. Aagard stated they would both have to turn right. The applicants intentions with the employee, who goes out to take orders, they would control as vehicles are leaving the site. The vehicles should not be leaving at the same time. Commissioner Thomas was there any consideration of a pedestrian walkway from the VASA Fitness to the proposed building. Mr. Aagard stated with a Conditional Use Permit, no. That may be something we look at with the site plan. There is a site plan application currently being reviewed by City staff.

Mr. Aagard stated there are no comments from the public.

Chairman Hamilton closed the public hearing and opened the motion
End item three on the agenda GC general commercial. Ay comments from the public.

Motion – Bevan, second – Sloan

Commissioner Bevan motioned to approve the Conditional Use Permit Request by Daniel Gonzales, representing FFG Soda Shops, LLC to permit an “Accessory Drive Through Facility” at 220 North Main Street application number P20-329, based on the findings and subject to the conditions listed in the Staff report dated May 6, 2020. Commissioner Sloan seconded the motion. The vote as follows: Commissioner Whitehouse, “Aye,” Commissioner Sloan, “Aye,” Commissioner Thomas, “Aye,” Commissioner Bevan, “Aye,” Commissioner Robinson, “Aye,” Commissioner Smart, “Aye,” Chairman Hamilton, “Aye.” The motion passes.

7. **Review and Approval of amended Planning Commission minutes for meeting held on March 11, 2020.**

Presented by Mr. Bolser

Chairman Hamilton stated that the review was a miscommunication and those were struck from the meeting minutes.

8. **Review and Approval of Planning Commission minutes for meeting held on April 22, 2020.**

Commissioner Sloan stated it would be appropriate on item number three towards the end referring to the verbatim transcription that was provided to the Administration and Council. It was not supposed to be part of these minutes and frankly verbatim on the minutes is not kosher.

Commissioner Sloan motioned to approve the minutes with corrections. Commissioner Thomas seconded the motion. The vote as follows: Commissioner Whitehouse, "Aye," Commissioner Sloan, "Aye," Commissioner Thomas, "Aye," Commissioner Bevan, "Aye," Commissioner Robinson, "Aye," Commissioner Smart, "Aye," Chairman Hamilton, "Aye." The motion passes.

9. **Adjourn**

Chairman Hamilton declared the meeting adjourned at 7:41p.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 May, 2020

Tyson Hamilton, Chairman, Tooele City Planning Commission