

**TOOELE CITY PLANNING COMMISSION MINUTES**

**Date:** Wednesday, June 24, 2020

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

**Commission Members Present:**

Shauna Bevan  
Melanie Hammer  
Tyson Hamilton  
Chris Sloan  
Dave McCall  
Nathan Thomas

**Commission Members Excused:**

Ray Smart  
Matt Robinson  
Bucky Whitehouse

**City Employees Present:**

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

**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 Chairman Hamilton.

**2. Roll Call**

Dave McCall, Present  
Shauna Bevan, Present  
Tyson Hamilton, Present  
Chris Sloan, Present  
Melanie Hammer, Present  
Nathan Thomas, Present

Chairman Hamilton stated Tooele City has implemented Governor Herbert's low risk (yellow) phase guidelines regarding public gatherings. We strongly encourage you to join the City Council meeting electronically by logging on to the Tooele City Facebook page, at <https://www.facebook.com/tooelecity>. If you would like to submit a comment for the public comment period or for a public hearing item please email [pcpubliccomment@tooelecity.org](mailto:pcpubliccomment@tooelecity.org) anytime up until the start of the meeting. Emails will only be read at the designated points in the meeting.

However, if you choose to attend, we ask that you maintain social distancing and encourage you to wear a face covering. In compliance with public health guidelines Tooele City can accommodate limited capacity at City Hall. Due to limited space and social distancing requirements, we ask that you limit the number of people that attend with you.

**3. Public Hearing and Decision on a Conditional Use Permit to allow a "Group Home" use by Holly Jones in an existing two story commercial building located at 60 South Main Street in the GC General Commercial zoning district on 0.39 acres.**

Presented by Andrew Aagard

Mr. Aagard stated the Conditional Use Permit application is proposed for the old Gordan furniture building located west of Main Street and north of 100 South, right across the street from the Tooele County offices. The property is surrounded by commercial property on the north and south with parking areas located to the west and south of the building. As mentioned, the property is zoned GC General Commercial, as area all of the surrounding properties. All properties within the area are utilized as commercial. The Conditional Use Permit pertains to the use of the upper floor of the two story building. The applicant wishes to convert the upper floor into eight sober living group home units. These homes will be rented to individuals who are in recovery of substance abuse situations and are working to get themselves to full independence. As far as parking, there is ample parking to the west of the building, however the applicant has indicated the individuals living in the units will not own or operate motor vehicles. Staff needs to emphasize that a group home is the same as a residential facility for persons with disability, however a residential home for residents with disability is not the same as a residential treatment center. These units cannot be used as a residential treatment center, meaning the residents will not be receiving treatment or counseling within those units. There should not be professional or medical staff living with the individuals or in the units. A residential treatment center is not permitted in the GC General Commercial zone and this use is not able to be conducted on this property. There will be an outpatient medical/clinical on the ground floor of the building as well as a small coffee shop. These uses are permitted in the GC General Commercial zone and are not considered for approval with the Conditional Use Permit. It is possible of the residents of the units on the second floor could receive counseling services on the first floor, while living in the units above and still maintain the residential group home transitional housing status. Staff has included conditions in the Staff Report that are formulated to address this and ensure that the units do not become a residential treatment center or a residential treatment facility. This item is a public hearing and notices were sent to property owners within 200 feet of the subject property. Staff did receive one comment from a property owner in the area and the individual was asking about the proposed uses and parking and did not express an opinion on the project. Staff is recommending approval with the staff conditions listed in the Staff Report.

Commissioner Sloan stated there is ample parking in the event that some of the residents have and operate motor vehicles, but it was indicated in the verbiage that they were not allowed to own one, is that the case? Mr. Aagard stated that there is sufficient parking to handle any cars that residents may own or operate. The applicant has indicated that they will not have cars.

Chairman Hamilton opened the public hearing.

Ms. Holly Jones, the applicant stated that there is ample parking, but she has also leased 47 spaces from the property owner directly behind her building for the AA meetings which will also be held in the building. Doug Reed and her have an agreement to lease the 47 spaces in the event she needs them. Chairman Hamilton asked if that is the property just west of 50 West. Ms. Jones stated it is the old Liddiard Furnishings.

Chairman Hamilton left the public comment period open until after item 7 on the agenda, with motions and voting following the closure of the public hearings. During the meeting no further comments were registered on this item.

**Commissioner Bevan motioned to approve the Conditional Use Permit request by Holly Jones, for the purpose of authorizing a “Group Home” at 60 South main Street, application number P20-447, based on the findings and subject to the conditions listed in the Staff Report dated June 17, 2020, including the findings of facts that are listed in the packet.** Commissioner Robinson seconded the motion. The vote as follows: Commissioner McCall, “Aye,” Commissioner Sloan, “Aye,” Commissioner Thomas, “Aye,” Commissioner Bevan, “Aye,” Commissioner Hammer, “Aye,” Chairman Hamilton, “Aye.” The motion passes.

Commissioner Sloan thanked Ms. Jones for her work on the project. He stated that the people that continue to build north and allow the downtown area to wither away, he appreciates someone who steps up and comes up with a workable plan to give other people the impetus to do similar things.

**4. Public Hearing and Recommendation on a Zoning Map Amendment request from the LI Light Industrial zoning district to the I Industrial zoning district by Doug and David Allred, for approximately 3.55 acres located at 318 South 1200 West.**

Presented by Andrew Aagard

Mr. Aagard stated this Zoning Map Amendment takes place on a parcel located at 1200 West and east of the Union Pacific Railroad. The property is surrounded by light industrial and commercial uses and the nearest residential use is approximately 1800 feet to the east. The property is currently zoned LI Light Industrial as are all of the properties to the north, east, and to the south. Property to the west is the railroad, which in itself is a heavy industrial use, however it is located in unincorporated Tooele County and does bare a manufacturing/ distribution zoning designation. The applicant is requesting that the property be reassigned to the I Industrial zone. The applicant has a specific use to accommodate on the property and needs the industrial zoning designation to do so. However, staff is obligated to mention to the Commission, that if the I Industrial zoning is approved, the property is entitled to conduct all

industrial uses permitted within the I Industrial zone. The main differences between the LI Light Industrial and the I Industrial designations is the scale and magnitude of the industrial uses. LI Light Industrial zoning caters more to light manufacturing, medical, and research buildings. The I Industrial zone caters more to heavy industrial and uses that generate higher rates of truck traffic, noise, odors, and may include unsightly industrial activities such as recycling centers, and vehicle salvage yards. The Staff Report includes a list of industrial activities permitted in the I Industrial zone that are not permitted in the LI Light Industrial zone. It should be pointed out that the I Industrial zone does not permit every use permitted in the LI Light Industrial zone. By rezoning the property to industrial the applicant will lose the ability to conduct personal services, restaurants, hotels, motels, health care providers and other commercial uses. This item is a public hearing and notices were sent to the property owners within 200 feet of the subject property. Staff has not registered any comments or concerns within the commenting radius.

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

Commissioner Bevan stated that she lives in the area and she has some concerns. She stated that the higher truck traffic is the main concern with something like this. She stated that she thinks it should be kept as a LI Light Industrial because the industrial areas, are using Utah Avenue which is not an allowable travel road for heavy trucks. The industrial areas are a little further away than this property and she can hear and smell the things from the I Industrial zone which is on the other side of the railroad tracks.

Chairman Hamilton stated the trucks are supposed to be using SR 112 and 1000 North for truck traffic, can a condition be added into the approval to emphasis the use of SR 112 and 1000 North. Mr. Aagard stated that could be forwarded onto the City Council as part of the recommendation and see if the City Council is willing to put it in the zoning. Commissioner McCall stated that even if the City Council approves that, once a vehicle leaves the company, the company is not liable. Most of the vehicles that are leaving the Depot have been instructed not to use Utah Avenue, but they do it anyway. The business owners cannot control the truck drivers. Commissioner Bevan added that one day she counted the semi-trucks that went up Utah Avenue, and in one hour she had 25 semi-trucks go up Utah Avenue. That is dangerous with a school and subdivisions, and no sidewalks.

Chairman Hamilton opened the public hearing.

Mr. Doug Allred stated that he is the property owner and the applicant. He echoed the concerns over truck traffic, but pointed out that there is a CDL training center one block away from his location. Trucks are going up and down the road constantly. The proposal for the use of the subject property, the trucks are not quite as big as what is there existing. The use for the property will diversify and expand within Tooele City. He hoped this is something that the folks in Tooele City would be willing to allow them to do. They are asking for the LI Light Industrial to I Industrial zoning for a vehicle staging yard. Tow trucks will be used and no vehicle will be there for over 30 days. By state statute, he believed allowed for no more than 24 vehicles onsite at any one time. The vehicles will come in and out regularly and he doesn't think it would increase the traffic flow any worse than it already is. There is LI Light Industrial in that area, which is

manufacturing. Trucks roll in all day. There is a plastic container manufactory at the end of his road and they have heavy trucks all day long. He stated that he didn't think that their proposal would increase that any more than it already is.

Chairman Hamilton stated that it is mainly a staging yard for police impounds and things like that. Mr. Allred stated it is. They could have gone two directions with this, and change the Code to allow for his business. The City Code encompasses a lot in one word, impound yard, so it does not allow for a staging yard to be considered as a Conditional Use in LI Light Industrial. The only I Industrial area in Tooele City is in the Industrial Depot. The folks who own the Depot have told people that they don't want any more car yards in the Depot. That is limiting people trying to business in the City. They are asking for this change to allow their business to diversify.

Chairman Hamilton left the public comment period open until after item 7 on the agenda, with motions and voting following the closure of the public hearings. During the meeting no further comments were registered on this item.

**Commissioner McCall motioned to forward a positive recommendation to the City Council for the Diamond A Properties Zoning Amendment Request by Doug Allred, to reassign the zoning of the subject property to the I Industrial zoning district, application number P20-429, based on the findings listed in the Staff Report dated June 16, 2020, for the applicant because it is needed for the business expansion.** Commissioner Thomas seconded the motion. The vote as follows: Commissioner McCall, "Aye," Commissioner Sloan, "Nay," Commissioner Thomas, "Aye," Commissioner Bevan, "Nay," Commissioner Robinson, "Aye," Commissioner Hammer, "Nay," Chairman Hamilton, "Nay." The motion does not pass.

Commissioner Sloan stated that he has no problem with the business model and the proposed business, but he is more concerned with what could happen if we go to a full I Industrial zoning. There is nothing to say the next owner won't do something that is grandfathered in. That is something that the Planning Commission doesn't want there. He would rather see an amendment to the existing requirements to allow the business that is planned.

Commissioner Bevan, stated she agrees with the what was stated by Commissioner Sloan and would like to see the rules change to allow the business, instead of changing the zoning.

Commissioner McCall stated that he has already inquired about getting the Code changed.

Chairman Hamilton stated that as Planning Commission, they have to plan for the future. The last thing he wants to see are the issues that have happened in Lehi and other places where there is just too much congestion in one small area. However, this application fits what we need, but it is not the right way to go about and we need to change the Code to get it done that way.

- 5. Public Hearing and Recommendation on a Zoning Map Amendment request from the RD Research and Development and the RR-1 Rural Residential zoning district to the I Industrial zoning district by Knight Realty Company, for approximately 65.4 acres located at approximately 1232 West Utah Avenue.**

Presented by Andrew Aagard

Mr. Aagard stated this Zoning Map Amendment request is located north of Utah Avenue and west of the Union Pacific Railroad. The property is largely vacant excluding one building located closer to Utah Avenue. The building in the past has been utilized as a historical war museum. The properties involved in the rezoning request are RD Research and Development, RR-1 Rural Residential. The RD Property is located to the west and closer to the highway and the RR-1 is located to the east and closer to the railroad. Properties to the north are zoned RD Research and Development with a small pocket of RR-1 Rural Residential at the north east corner. To the east the properties are LI Light Industrial and at the north east properties are RR-1 Rural Residential on the adjacent side of the railroad and to the south properties are zoned LI Light Industrial and I Industrial. The applicant wishes to have the properties rezoned to I Industrial. The differences between the zones is fairly stark. The RR-1 Rural Residential zone is a residential zone designed for large one acre lots for single family residential uses, as well as some agricultural uses. The RD Research and Development zone transitions between the GC General Commercial and the LI Light Industrial zones. The RD Research and Development is oriented to business parks, professional office and commercial uses, such as medical office and research facilities. I Industrial zones cater to heavy industrial manufacturing type uses. If the I Industrial zone is approved for the entire 65 acres, there will be residential homes nearby at the northeast and southeast corner where an existing mobile home park exists. There is also the potential of new homes being constructed adjacent to the area with no buffer or transition zones, with only a railroad corridor for separation. Mr. Aagard emphasized that there are many light industrial and manufacturing uses that cannot be permitted in the Industrial zone, so many uses may become entitled, while some uses may no longer be entitled on the property. This item is a public hearing and notices were sent to property owners within 200 feet of the subject parcels. Staff did receive one comment from an adjacent land owner who was inquiring about the rezoning request and what the intentions were of the properties if the rezoning was approved. The comment did state that the City already has a significant amount of Industrial zoning and asked if the City needs to include more Industrial zoning to that which it already has. There was another email that was forwarded to the Commissioners prior to the meeting. The email is recorded below as a public comment.

*June 18, 2020*

*Re: Zoning Map Amendment from Knight Realty Company*

*Dear Mr. Aagard and Mr Bolser,*

*We are writing to you as Trustees of the Clegg Grandchildren Trust and as Managers of Clegg Land LLC. Thank you for your letters of notification for the proposed zoning change. We have appreciated the careful planning that has gone into the southwest quadrant of Tooele City. This proposal, however, seems out of character to this process. We therefore oppose the Zoning Map Amendment submitted by Knight Realty Company to rezone the former Tomlin and Smith properties as Industrial. This acreage is contiguous with properties zoned RD, LI and GC. We believe that this proposal does not conform to Tooele City's General Plan and could have a negative impact on the values of surrounding properties.*

*Please do not hesitate to contact us if you have further questions.*

*Clegg Grandchildren Trust and Clegg Land LLC*

*Robert M. Clegg*

*Daniel O. Clegg*

Commissioner Thomas stated that the letter that was received, where is the property to the subject property. Mr. Aagard showed the property on the map. Commissioner Thomas stated that he has concerns with the vast change of RR-1 Rural Residential to I Industrial. That seems like a major change in the character of the area. Also, there are industrial opportunities at the Depot. There are less rural areas being made and once this becomes industrial, Tooele and the surrounding area would change in character. The areas along the highway could have some benefits of having an industrial use along the highway.

Commissioner Bevan stated she wanted to restate her objections mentioned in the prior agenda item for this item. She did disclose that she is related to the commenter in objection of the rezone. She stated that there are homes that are very very close to the property. Once you lose the RR-1 Rural Residential, you can't get it back. It is a really important part of the community, to maintain the rural atmosphere. She stated she is concerned about the use of Utah Avenue for the access of the industrial areas.

Commissioner McCall asked what the property is being used for.

Mr. Baker stated in the bottom corner of the aerial photograph where there is the intersection of Utah Avenue and the railroad track. Tooele City and Tooele County have historically for many decades had storm water conveyance channels that were informal, but existed and assisted in conveying storm water from heavy rainfalls to the north and west. Those channels have been obliterated in the last couple of years, by fill and earthmoving activity on the property. Tooele City has written a letter to the property owner claiming a prescriptive easement to the storm water conveyances. If the Commission is inclined to make a favorable recommendation, he requested that the recommendation include a condition that the storm water conveyance channels be reinstated either in the historic locations or in other locations that will allow the desired development and still allow the storm water conveyance purpose. Commissioner Sloan asked if there is a timeframe on when that will be resolved between the City and the property owner. Mr. Baker stated that the City has heard back and the property owner contests the City's claims to prescriptive rights.

Chairman Hamilton opened the public hearing.

Mr. Spencer Knight, with Knight Realty stated he has been hired by the owners of the properties to market and sell the properties for them for about one year. The property has two zones, RD Research and Development which favors a high end commercial. He stated that this would be a great place for a hospital or medical office building, but having been onsite, there would not be a lot of hotels that would want to be across from an I Industrial zone. There is no interest. The RR-1 Rural Residential, there has been solicitations for home developers, but it looks like it is a left over piece that has had no takers. The railroad is not a popular place to have a home, especially to have livestock. There is already LI Light Industrial next to it. The subject property's



use has been an industrial use, Jack Tomilin has had industrial items on the property for 30 or 40 years. All of the interest for the property is for industrial uses. There is a little bit of a monopoly on what the City has as zoned I Industrial. There is a big demand for I Industrial property and to keep it on the north side of the railroad, it just makes sense. It keeps the trucks, sounds, and odors there. There is a buffer of LI Light Industrial and the RD Research and Development will continue to be changed to the I Industrial, as the RD Research and Development uses are not really compatible to the location. The purpose for the rezone is the property has sat for a year and they have met with 10 to 15 people and right now there are companies who want to use the building as a warehouse and RD Research and Development zoning does not allow that use.

Commissioner Sloan asked Mr. Knight how would truck traffic be addressed? Mr. Knight stated that Utah Avenue is a busy road and it does have access into the Industrial Depot. In the foreseeable future it will remain. There is a Mid Valley Highway access point that is being discussed. There will be additional truck traffic, however the size of the lots within his property are not conducive to large trucking outfits. The people who are looking at the five acre lot with the building have a total of five cars and will be doing wholesaling and racking inside. He stated that he can't promise that all future traffic will be light.

Commissioner Bevan stated that she is concerned that what is being proposed for the use, that could change down the road and it could have big trucks, smells, and sounds. Mr. Knight stated that if there is a lot of hesitation to the heavy uses, then maybe the Council recommends a I Industrial code change. That does limit the ability for the current client to purchase it, because he needs to be able to manufacture and assemble because it is not in the Code. He recommended that the City revisit and reevaluate the zoning code to limit some of the heavy uses of the smells and sounds to a Conditional Use Permit, so the places that are closer to residential have Conditional Use on their uses, rather than a blanket approval. However, the City needs the I Industrial, if the City needs to grow.

Commissioner Thomas asked if there is access on the road that looks washed out. Mr. Knight stated that used to be an old railroad track that was abandoned.

Mr. Allred stated he wanted to comment on the concern on truck traffic. Right now, there are large manufacturers out in the Industrial Depot, that create a lot of heavy traffic up the highway to just the railroad tracks, but beyond that there is heavy traffic on Tooele Boulevard down by the College. He stated that he hasn't seen or researched the Master Plan on 1200 South to eventually tie into the Mid Valley Highway in the future. He stated he hoped that was a consideration that those corridors tie to the Mid Valley Highway and will keep the traffic off the residential streets. He asked someone to speak to the Master Plan for the Mid Valley Highway. He stated that the area he is located, was set aside as the Tooele Commercial Park and there is a lot of land south of his property. It is zoned RD Research and Development to attract those types of business, his property borders the rail line and his frontage will not change.

Mr. Robert Clegg stated his family has the property to the north of the subject properties and the upper end of the LI Light Industrial zoning. Several years ago, the Tooele City Planning Commission changed the zoning to the RD Research and Development and the family is kind of happy to the zoning. It would be a spot zoning thing to do the I Industrial zoning for the subject



property. He stated that he owns property to Rogers Road except one little piece that is a 20 acre parcel owned by Tooele City Corporation. They are happy to keep the current zoning and cannot see how there is enough frontage to make an industrial park. Roger's Road is not open in the winter and it will have to be widened for access. 1000 West which also borders the subject property will have to be widened to give access to the subject properties. He asked that the zoning stay the same and the request be denied.

Mr. Baker stated that the Utah Supreme Court has made lawful what was formally known as spot zoning. In Utah there isn't really such a thing as spot zoning or a prohibition against spot zoning. The City Council can rezone any property to any use which the Council believes is good public policy, even if it is a single parcel under single ownership, it is lawful. The record needs to be established that there is some rational basis in the change.

Chairman Hamilton left the public comment period open until after item 7 on the agenda, with motions and voting following the closure of the public hearings. During the meeting no further comments were registered on this item.

**Commissioner Sloan motioned to forward a negative recommendation to the City Council for the Smith and Smart Industrial Rezone Zoning Map Amendment Request by Spencer Knight, representing the Knight Realty Company to reassign the zoning of the subject properties to the I Industrial zoning district, application number P20-419, based on the finding that it doesn't match the character of the surrounding areas and could lead to significant traffic issues in the area. listed in the Staff Report dated June 16, 2020.** Commissioner Hammer seconded the motion. The vote as follows: Commissioner McCall, "Aye," Commissioner Sloan, "Aye," Commissioner Thomas, "Aye," Commissioner Bevan, "Aye," Commissioner Hammer, "Aye," Chairman Hamilton, "Nay." The motion passes.

Commissioner Sloan stated that as a Planning Commission, the Commission has to look at what could happen. He believed that the applicant has very good plan for it, but the I Industrial zoning for the City is fairly open ended the things that could go in there and wouldn't want to deal with it retro actively.

**6. Public Hearing and Recommendation on a Zoning Map Amendment request from the RD Research and Development and the GC General Commercial zoning district to the I Industrial zoning district by Bolinder Real Estate, for approximately 120 acres located at approximately 1830 West Highway 112.**

Presented by Andrew Aagard

Mr. Aagard stated the subject properties being request in the rezone are largely isolated properties with very little road access. The properties are located north of the existing Bolinder facility. There is no development located adjacent to the subject properties. The western portion of the property with access to SR 112 is currently zoned GC General Commercial. The eastern half of the property is zone RD Research and Development. Properties to the north are zoned GC General Commercial and R1-7 Residential. Properties to the east are zoned R1-7 Residential. Properties to the south are zoned RD Research and Development and I Industrial. The I Industrial being the existing Bolinder facility. The applicant wishes to have both the zoning

on both parcels rezoned the I Industrial zone, but has not disclosed the purpose behind the zoning request. There are significant differences between the three zones. The GC General Commercial is a commercial zone that permits a wide variety of commercial, retail office, and food service uses. The RD Research and Development is a transition zone between the GC General Commercial and LI Light industrial zones. It permits a larger range of commercial uses, along with manufacturing type uses. Mr. Aagard noted that a large portion of the subject property is adjacent to land that is R1-7 Residential and could potentially be developed residentially in the future. Typically, residential zones are separated from industrial zones by highways, railroad corridors or buffer zones of lesser retail or commercial intensities. In this case if the entire property is rezoned to I Industrial, there could be the potential to industrial uses immediately adjacent to residential subdivisions. This item is a public hearing and notices were sent to all property owners within 200 feet of the subject property, no comments or concerns were registered by staff during the comment period.

Commissioner Thomas stated that his concern was more about the application and the application seemed to be lacking in details of what the intention was for the zoning. He asked about possible easements for the County trail which goes through the property.

Commissioner Sloan stated we call it the county trail, but is there an easement through the property. Mr. Bolser stated that it is established as a Tooele County Facility. Commissioner Sloan stated if we approve this would we have a nice I Industrial zone with a slash of county property through it. Commissioner McCall stated would they have to give that property to the County. Mr. Bolser stated that the County's trail would be rezoned with the remainder of the property because it is within the block, but the trail is owned by the County, so it wouldn't have ownership impact on the subject property.

Chairman Hamilton opened the public hearing.

Mr. Boone Bolinder, the applicant stated the property owners have an industrial facility, with buildings and gravel pit and have provided a lot of material to the Mid Valley Highway project, as an attempt to grade the property. Grading the property would allow the gravel pit to close and become an industrial park to address the problem with Tooele City I Industrial zones being owned by the monopoly of the Depot. He stated that they are currently in talks with property owners adjacent with R1-7 Residential, to trade the R1-7 Residential in order to consolidate the R1-7 Residential above the County trail and keep the industrial space as a big block. The County trail is the current plan for the second phase of the Mid Valley Highway, that would connect with 1000 North as the existing plan is completed. If the Mid Valley Highway is completed that would create a barrier with the R1-7 Residential. He stated they have discussed with Tooele City Mayor, that right now Grantsville City with the Romney development, will own any new industrial uses in the County, if Tooele doesn't have a competitive use to give people and option and they believe that rezoning this to have about 250 acres of heavy industrial zoning will give Tooele City a shot as having heavy industrial opportunities.

Mr. Bolinder stated that the Tooele City Mayor has approached them to put their property into the advertisements for the Inland Port, so that Tooele would have a showing of any potential users who might be coming out to the area. Chairman Hamilton stated the gravel pit is in the

process of being dissolved and become an industrial area. Mr. Bolinder stated right now, there is a difference of about 75 feet between where the property and the bottom part of the property are. The gravel pit is being used as a way to shape the property and make it buildable. There would be some mining to get the property level, but this would happen on type of property. Chairman Hamilton stated as would happen on any development.

Commissioner Thomas stated the explanation was helpful.

Commissioner Hammer stated there's a piece of R1-7 Residential to the west of the subject property that is being discussed as a trade for a triangular piece of R1-7 Residential within the property lines. It would be helpful to see that already done. She stated that she doesn't like the industrial zoning in the corner with the R1-7 Residential property. It is more of a concern than a question. Mr. Bolinder stated that there is an existing landfill on the property that is next to the R1-7 Residential and there is a plan to get the trade done, but he assumed that if those property owners had a concern about the zoning, they would have expressed that for the hearing.

Mr. Bolinder stated that the R1-7 Residential does not have access.

Commissioner McCall stated that he was aware about the landfill and the buildability of the landfill. He stated that at one time the City Council was debating designating industrial areas around the City, but as to where they were going to be, he did not know. He stated he had concerns like everyone else, but there needs to be industrial areas around town in designated spots that is not perfect for homes. He stated the concept of the Romney thing will be industrial and it is concerning that there are R1-7 Residential being mixed in the subject property. The Mid Valley Highway will allow the traffic to avoid city streets, but until that plan is in place, there will be the problem of the trucks.

Mr. Bolinder stated that it helps where they are north of SR 112 and the trucks have a significantly easier time turning up 1000 North instead of having to backtrack to 1000 North.

Chairman Hamilton left the public comment period open until after item 7 on the agenda, with motions and voting following the closure of the public hearings. During the meeting no further comments were registered on this item.

**Commissioner McCall motioned to forward a positive recommendation to the City Council for the Bolinder Real Estate Zoning Map Amendment Request by Gary Bolinder representing Bolinder Real Estate to reassign the zoning of the subject properties to the I Industrial zoning district, application number P20-120, based on the findings of the location of the property and the situation in which the applicant stated, the property has ample travel resources to avoid to stay on the approved travel lanes.** Chairman Hamilton seconded the motion. The vote as follows: Commissioner McCall, "Aye," Commissioner Sloan, "Aye," Commissioner Thomas, "Aye," Commissioner Bevan, "Nay," Commissioner Hammer, "Aye," Chairman Hamilton, "Aye." The motion passes.

Commissioner Sloan stated contrary to the last agenda item, this area is well onto the frontage of SR 112. A state highway makes a huge difference and he has a bigger problem with the R1-7

Residential zoning surrounding it than the industrial in that particular location. He stated zoning will be discussed later in the meeting.

Commissioner Bevan stated that she feels the same way as Commissioner Sloan, but will vote nay as she thinks there needs to be more of a buffer between I Industrial and R1-7 Residential than a County trail, unless we change the zoning around the area. She stated that she believes that we need the industrial zoning within the Tooele City limits, but this is not a great place and she would rather see it on the other side of SR 112, so there is more of a buffer.

Chairman Hamilton added that he would like to see some changes to the R1-7 Residential that is in the area, but thinks this is the perfect location for the industrial zoning.

7. **Recommendation on the Deseret Commercial Phase 3 Minor Subdivision request by Tower Center, LLC proposed to be located at 152 West 1280 North in the GC General Commercial zoning district to subdivide 4.26 acres into four commercial lots.**

Presented by Andrew Aagard

Mr. Aagard stated this minor subdivision request is located north of Tooele Walmart and 1280 North and west of the Applebee's restaurant. There is an existing commercial building on that site that will be included within the subdivision. The property is zoned GC General Commercial as are all of the surrounding properties and all of the surrounding properties are utilized as commercial. The subdivision will divide an existing 4.26 acre parcel into four commercial lots ranging in size from 44,000 square feet up to 49,000 square feet or slightly larger than one acre. The GC General Commercial zone usually requires three acre lots for commercial, however when lots are incorporated into existing commercial areas there is no lot restriction. In this case the lots are being incorporated into the Tower Center development. Lots within the subdivision do have a nonstandard lot line configuration, this is done to assist future development of the site. Lot lines follow and delineate drive aisle and parking areas. The plat does include a blanket cross access and utility easement cover for all four parcels to ensure utility and vehicular access to all lots within the subdivision. There is a site plan application and Conditional Use Application filed with the city to construct a new building similar to other buildings within the development on lot 302. The subdivision as proposed does meet or exceed development requirements for the commercial in the GC General Commercial zone. Staff is recommending approval with the basic housekeeping items in the Staff Report.

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

**Commissioner Sloan motioned to forward a positive recommendation to the City Council for the Desert Commercial Subdivision Phase 3 Minor Subdivision Request by Kevin Hunt, representing Tower Center LLC for the purpose of creating four commercial lots located at approximately 152 West 1280 North, application number P20-139, based on the findings and subject to the conditions listed in the Staff Report dated June 17, 2020.** Commissioner Bevan seconded the motion. The vote as follows: Commissioner McCall, "Aye," Commissioner Sloan, "Aye," Commissioner Thomas, "Aye," Commissioner Bevan, "Aye," Commissioner McCall, "Aye," Commissioner Hammer, "Aye," Chairman Hamilton, "Aye." The motion passes.

Chairman Hamilton closed the open public hearings for all agenda items three through six. Motions and voting occurred during this time and is recorded under each agenda item within the minutes.

Chairman Hamilton called a five minute break at 8:17 pm and the meeting was called back to order at 8:20pm.

8. **Review and Discussion of the initial draft of the Land Use Element of the Tooele City General Plan revision.**

Presented by Jim Bolser

Mr. Bolser stated as the Commission is aware, starting last October there was a venture down the path to overhaul the City's General Plan. That has culminated with the Land Use Element. All of the other elements make up and builds into land use decisions. The General Plan is the basis on which a lot of zoning happens. As the Commission has gone through the elements prior to this evening, there has been a proposed map in the packet with a draft text. That was not the case with this element. A map of the current plan was provided for a starting point and base line. Each Commissioner was allowed to review the current Land Use Map and use it as a starting point for questions and proposals for the current designations. Mr. Bolser handed the discussion over to the Commission.

The Commission had a lengthy discussion about the elements and parts of the Land Use Map. Items that were discussed included the need for industrial zoning with a possible location of SR 112 and 1000 North, delineations on the map for trail and open space, and need for zoning barriers to between residential and industrial areas.

Following the discussion, Mr. Bolser suggested to the Commission that he could return to the next meeting with a staff suggestion of the Land Use Map for further consideration, with the Commission suggestions from this discussion.

The discussion of the text portion of the Land Use Element was favorable, with no suggested changes.

9. **Review and Approval of Planning Commission minutes for meeting held on June 10, 2020.**

**Commissioner Hammer motioned to approve the minutes.** Commissioner McCall seconded the motion. The vote as follows: Commissioner McCall, "Aye," Commissioner Sloan, "Aye," Commissioner Thomas, "Aye," Commissioner Bevan, "Aye," Commissioner Hammer, "Aye," Chairman Hamilton, "Aye." The motion passes.

10. **Adjourn**

Chairman Hamilton declared the meeting adjourned at 9:13p.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 8th day of July, 2020

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Tyson Hamilton, Chairman, Tooele City Planning Commission