

TOOELE CITY PLANNING COMMISSION MINUTES

Date: Wednesday, October 14, 2020

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

Commission Members Present:

Tyson Hamilton
Shauna Bevan
Matt Robinson
Nathan Thomas
Chris Sloan
Dave McCall

Commission Members Excused:

Melanie Hammer
Bucky Whitehouse

City Employees Present:

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

Council Members Present:

Council Member Justin Brady
Council Member Ed Hansen

Minutes prepared by Kelly Odermott

Chairman Hamilton called the meeting to order at 7:15 pm.

1. Pledge of Allegiance

The Pledge of Allegiance was led by Chairman Hamilton.

2. Roll Call

Tyson Hamilton, Present
Shauna Bevan, Present
Matt Robinson, Present
Nathan Thomas, Present
Chris Sloan, Present
Dave McCall, Present

3. Public Hearing and Decision on a Conditional Use Permit request by All Types Plumbing to authorize the use of "Contractor's Display/Office" for approximately .5 acres located at 315 North Main Street in the GC General Commercial zoning district.

Presented by Andrew Aagard

Mr. Aagard stated this application for a Conditional Use Permit is for property located west of Main Street, east of 50 West and south of 400 North, in the former Tooele Police Department building. The applicant wishes to use the contractor display and office inside of the existing structure. The property is zoned GC General Commercial, as are the properties to the north, south and east, properties to the west are zoned R1-7 Residential. Land uses to the north are commercial and retail and land uses to the south are professional office. There is parking to the east and west with a drive aisles running east to west on the south side of the building connecting Main Street to 50 West. The parking area to the east has eight existing parking stalls and the area to the west has approximately 20 parking stalls. There is also sufficient space for parallel parking along the south side of the drive aisle. In the case of parking requirements, the ordinance is silent in regards to contractors display and office. In the case when the ordinance is silent, the parking defers to the director for parking requirements. In total there are more than 28 parking stalls available and staff is confident the parking is sufficient.

Mr. Aagard stated that one point that needs to be emphasized, is that the ordinance has two separate contractor related uses. One is a contractor staging yard and the other is a contractor display and office. The staging yard is defined by the code as using exterior space as storage. This use is not permitted in the GC General Commercial zone. Contractor display and office does not allow for exterior storage, although some business vehicles will be parked at the site. Contractor display and office requires everything be storage within the building. Staff has inserted a condition into the Staff Report stating there will not be any construction related equipment, supplies, material, or construction vehicles stored outside. Staff is recommending approval of the application. This is a public hearing and notices were sent to all property owners within 200 feet of the subject building and no comments were registered by staff.

Chairman Hamilton asked the commission if there questions or comments.

Chairman Hamilton stated if there was small equipment such as a mini excavator, that would need to be stored within the building? Mr. Aagard stated that the ordinance is interpreted, there will be employee parking at the site, heavy construction equipment, will need to be stored offsite or inside.

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

Commissioner Bevan motioned to approve the Conditional Use Permit Request by Alan Smith & Christina Bush, authorizing the use of "Contractors Display/Office" at 315 North Main Street, application number P20-927, based on the findings and subject to the conditions listed in the Staff Report dated October 6, 2020 Commissioner McCall seconded the motion. The vote as follows: Commissioner McCall, "Aye," Commissioner Bevan, "Aye," Commissioner Robinson, "Aye," Commissioner Thomas, "Aye." Commissioner Sloan, "Aye," Chairman Hamilton, "Aye." The motion passes.

4. **Public Hearing and Decision on a Conditional Use Permit request by Carvana to authorize the use of "Vehicle Storage Yard" for approximately 107.5 acres located at approximately 299 Lodestone Way in the Industrial Zoning District.**

Presented by Andrew Aagard

Mr. Aagard stated the application for a Conditional Use Permit authorizes a vehicle storage yard which would also facilitate a vehicle inspection center for a large 107 acre parcel. The property is located in the industrial depot next to the Cabela's facility located to the west and the Detroit Diesel and Tooele School District facility is to the south. The property has frontage on both Lodestone Way and Industrial Lop Road and provides access to SR 112. The property is zoned I Industrial, as are the properties to the north, west, and south. Properties to the east are zoned PID PUD which is still an industrial zone. The applicant has provided a conceptual color plan and the property will be predominately utilized as vehicle storage with a vehicle inspection center located onsite on the southern half of the property, with employee parking on the south east of the property. The plans do not indicate if the applicant plans to fence the entire property and fencing is not a requirement, however the Planning Commission could recommend fencing if they identify a problem that could be mitigated by fencing. This is not a junk yard or salvage yard. The vehicles are being stored for serving with the ultimate goal of selling. The item is a public hearing and notices were sent property owners within 200 feet of the subject property, no comments or concerns were registered by staff.

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

Commissioner Sloan asked if there is anything in the CUP that would preclude this from becoming a junk yard? Mr. Aagard stated not that he was aware of. Commissioner Thomas asked if this was something that would be open to the public? Mr. Aagard stated he did not believe public would be there. The vehicles are stored, inspected and shipped for sale. Commissioner McCall stated that based on the information, he didn't want to make it a requirement, but wishes they would put a fence around the property.

Chairman Hamilton opened the public hearing.

Mr. Brock Nelson with the developer stated they are excited for the opportunity and feel that the zoning is appropriate. The initial feedback has been positive and the neighbors have written letters of support. It will be closed to the public. There will be screening and typically there is an eight foot fence around the property. They are looking forward to being part of the community and are excited for the opportunity.

Commissioner McCall asked if there was an estimate of how many people will be employed at the facility? Mr. Nelson stated typically a facility of this size is several hundred. It takes a little while to ramp up and they look forward to partnering with the technical school to develop local talent.

Mr. Bosler stated that there was one emailed comment from Ninigret Depot and are in support of the application. Mr. Bolser added that converting to a junk yard, there is not a prohibition from them doing that, however those are different land use categories and there would need to approval from staff. They are free to seek those, but it would be a change of use.

Commissioner Sloan motioned to approve a Conditional Use Permit Request by Brock Nelson to authorize the use "Vehicle Storage Yard" for 107.5 acres located at approximately 299 Lodestone Way application number P20-901, based on the findings and subject to the conditions listed in the Staff Report dated October 4, 2020. Commissioner Thomas seconded the motion. The vote as follows: Commissioner McCall, "Aye," Commissioner Bevan, "Aye," Commissioner Robinson, "Aye," Commissioner Thomas, "Aye." Commissioner Sloan, "Aye," Chairman Hamilton, "Aye." The motion passes.

5. **Public Hearing and Recommendation on a Zoning Map Amendment for the R1-7 Residential zoning district to the I Industrial zoning district by Tooele Associates, LP for 43.08 acres located at approximately 2000 North 1200 West.**

Presented by Andrew Aagard

Mr. Aagard stated this application pertains to a 43 acre parcel that is undeveloped. The property is zoned R1-7 Residential. Property to the north and east are zoned I Industrial and LI Light Industrial and were recently rezoned to the current designations. Properties to the west are zoned GC General Commercial. The applicant wishes to rezone the property to the I Industrial to facilitate development in the area. The property is largely landlocked other than a small 60 foot strip of land from the south west corner to SR 112. The small strip of land is also owned by the property owner requesting the Zoning Map Amendment. It should be noted that the property is located within the 1000 North Industrial Community Project Area and was intended for Industrial and Li Light Industrial uses by the City Council in Resolution 2017-09. This item is a public hearing and notices were sent to property owners within 200 feet of the subject property, no comments or concerns were registered by staff.

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

Chairman Hamilton opened the public hearing.

Mr. Drew Hall stated he was attending to answer questions as he is the applicant. The surrounding properties were rezoned for LI Light Industrial. This property is intended for a manufacture plant to be placed on the property.

Chairman Hamilton closed the public hearing

Commissioner McCall asked Mr. Hall who the company or what type of company will be there? Mr. Hall gave a brief overview of the manufacture plant, which will be building actuators for collapsible shipping containers.

Commissioner Sloan motioned to forward a positive recommendation to the City Council for the Overlake Industrial Park Zoning Map Amendment Request #2 by Tooele Associates, LP to reassign the zoning of approximately 43 acres of property to the I Industrial zoning District, application number P20-916, based on the findings and subject to the conditions listed in the Staff Report dated October 6, 2020. Commissioner McCall seconded the motion. The vote as follows: Commissioner McCall, "Aye," Commissioner Bevan, "Aye," Commissioner Robinson, "Aye,"

Commissioner Thomas, "Aye." Commissioner Sloan, "Aye," Chairman Hamilton, "Aye." The motion passes.

6. **Recommendation on a Minor Subdivision request by SR-36 Self Storage, LLC to subdivide 14.92 acres into two lots at approximately 2035 North 400 East in the LI Light Industrial and GC General Commercial zoning Districts.**

Presented by Andrew Aagard

Mr. Aagard stated this application pertains to a parcel east of SR 36 and west of 400 East, directly across the street from the hospital. The property currently bares two zoning districts, the southern half and eastern half are LI Light Industrial. The northwest half is zoned GC General Commercial. Properties to the south and east are zoned LI Light industrial with some GC General Commercial zoning at the southwest corner. Properties to the north are largely GC General Commercial. The subdivision proposes to split the two lots. The southern portion will be 5.53 acres and is proposed as a commercial self storage business. Lot 2 will be 8 acres and will remain vacant until development occurs. Each lot exceeds the minimum lot size of the LI Light Industrial and GC General Commercial zoning districts. Frontage improvements are not being required as part of the process, as commercial lots are required to undergo a site plan zoning review. It is during the site plan review that frontage requirements are reviewed and required. Staff is recommending approval of the proposed minor subdivision with the basic conditions listed in the Staff Report.

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

Commissioner Thomas asked about the plans for the site and how those will meet the Gateway Overlay? Mr. Aagard stated during the rezoning process, there was extensive elevations and landscaping plans to demonstrate the application would meet the requirements. The City Council approved those as a condition of the zoning. The site plan reflects what was approved during the zoning process.

Mr. Bolser stated that this is classified as a minor subdivision, however there is a notation on the plat that is atypical of a minor subdivision. The notation states that the roads right-of-way are being dedicated to Tooele City. That is a requirement of the Tooele County Surveyors Office that that notation be placed there, however the roads are already publicly dedicated roads.

Commissioner Robinson motioned to forward a positive recommendation to the City Council for the SR-36 Self Storage Minor Subdivision Request by SR-36 Self Storage, LLC creating two commercial lots, appliaition number P20-656, based on the following findings. Commissioner Bevan seconded the motion. The vote as follows: Commissioner McCall, "Aye," Commissioner Bevan, "Aye," Commissioner Robinson, "Aye," Commissioner Thomas, "Aye." Commissioner Sloan, "Aye," Chairman Hamilton, "Aye." The motion passes.

7. **Decision on a Multi-Family Residential Site Plan Design Review request by Mountain Partners Investments for the 17 lot Millennial Park Phase 1 town house development proposed to be located at 360 North 400 North in the MR-16 Multi-Family Residential zoning district.**

Presented by Andrew Aagard

Mr. Aagard stated this site plan review application is for a parcel located north of 400 North and west of 300 West, with the Dow James park west of the subject property and a city skate park located to the north. The Landmark apartments are located to the south of the parcel. The property is currently zoned MR-16 Multi-Family residential, as are the properties to the north, east, and south. Property to the west is OS Open Space zoning. The site plan demonstrates how the development will be laid out. There will be 17 townhomes combined into two six unit and one five unit buildings. The buildings will run north to south. Each townhouse will have rear entry garages with the front of the buildings fronting onto interior open space areas. Each unit will be privately owned with a privately owned front and rear yard. The end units will have slightly larger yards with incorporation of yards at the sides of the buildings. Units 12-17 will access 300 West which is a public road. Other units will access 340 West which is a private road, owned and maintained by the development. Each townhouse will have a two car garage, as well as a drive way wide enough and deep enough for two additional vehicles. There are also five additional parking stalls located at the northwest corner of the development, with four of them being parallel stalls being located just south of the northern property line. The landscaping and open space is about 36% of the site. Common areas include a 12 foot landscaped area between the townhomes and the skate park and the large storm water detention basin which will include a play structure amenity. The applicant's architect has worked closely with staff to meet ordinance requirements. Mr. Aagard showed the Commission the elevation drawings and described the materials of the exterior. Multi-family developments are required to have fencing, the only location for fencing will be along the northern property line. Required fencing is six foot solid fencing with masonry columns every 20 feet. The applicant has not provided fencing detail, but noted that fencing will meet guidelines. Staff has worked closely with the applicant and it meets or exceeds guidelines.

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

Commissioner Sloan asked about fencing and if the fencing will be maintained. He is concerned with the other side of the fence being a skate park and he would hate to see the fencing in a state of disrepair. Mr. Aagard stated that the fence would be the development's responsibility. Commissioner McCall stated that he would like the developers' to be aware of the fencing material and the fact it could be tagged with the skate park close. Mr. Aagard stated the fence could be upgraded to a stone fence. Commissioner Sloan stated his concern is the continued maintenance of the fencing and the property. Mr. Aagard stated there is the intent to have an HOA.

Commissioner Thomas asked if there is an intent for more townhomes? Mr. Aagard stated they also own the vacant property to the east.

Commissioner Sloan motioned to approve the Site Plan Design Review Request by Jared Payne, representing Mountain Partners Investments for the Millennial Park Phase 1 Town House Development, application number P20-490, application number P20,490, based on the following findings based on the Staff Report dated October 8, 2020 Commissioner Bevan seconded the motion. The vote as follows: Commissioner McCall, "Aye," Commissioner Bevan, "Aye," Commissioner Robinson, "Aye," Commissioner Thomas, "Aye." Commissioner Sloan, "Aye," Chairman Hamilton, "Aye." The motion passes.

8. **Review and Approval of the Planning Commission Minutes for Meeting Held on September 23, 2020.**

Commissioner Robinson motioned to approve the minutes. Commissioner McCall seconded the motion. The vote as follows: Commissioner McCall, “Aye,” Commissioner Bevan, “Aye,” Commissioner Robinson, Aye,” Commissioner Thomas, “Aye,” Commissioner Sloan, “Aye,” Chairman Hamilton, “Aye.” The motion passes.

9. **Adjourn**

Chairman Hamilton declared the meeting adjourned at 7:57 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 28th day of October, 2020

Tyson Hamilton, Chairman, Tooele City Planning Commission