

**TOOELE CITY PLANNING COMMISSION MINUTES**

**Date:** Wednesday, October 28, 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  
Melanie Hammer

**Commission Members Excused:**

Bucky Whitehouse

**City Employees Present:**

Andrew Aagard, City Planner  
Jim Bolser, Community Development Director  
Roger Baker, City Attorney  
Steve Evans, Public Works Director

**Council Members Present:**

Council Member Justin Brady  
Council Member Scott Wardle

**Council Members Excused:**

Council Member Ed Hansen

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 Thomas.

**2. Roll Call**

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

Melanie Hammer, Present

**3. Public Hearing on a Request by Tooele City for a comprehensive revision to the Tooele City General Plan.**

Presented by Jim Bolser

Mr. Bolser stated this is the culmination of a very long process for a comprehensive review of the General Plan. Mr. Bolser reminded the Commissioners of the timeline that was put in place to review the document, which began over a year prior. The General Plan is governed by State law Section 10-9a-400 and subsequent sections. There are four required elements by state code, the Land Use Element, Annexation Policy Plan, Transportation Plan and Moderate Income Housing Plan. There are a number of discretionary topics that can be included and in the Tooele City plan, four have been included. An introduction to what a General Plan is, an Overview Element, an Economic Vitality Element and a Parks, Open Space, and Recreation Element.

Mr. Bolser stated that during the process, the public has been included. There have been open public Planning Commission meetings for discussion of each element, as well as having the draft plan available to the public through the city website with comment allowed on the website, a dedicated email is available for the public and a draft was available at City Hall with comment cards. There was a general review with the City Council on August 12, 2020 and following that discussion on Monday August 17, 2020, the draft General Plan was launched for public review. The General Plan has been open for review for 73 days, and in that time, there have been two open houses, September 17, and October 6, 2020. Tonight, is the first of four public hearings that will be held, with the second public hearing scheduled for Planning Commission on November 12, 2020. There will also be two public hearings with the City Council likely in December. Following those meetings, the City Council can make a decision on the document.

Chairman Hamilton asked the commission if there questions or comments.

Commissioner Thomas stated there are summarized public comments in the packet; will there be a summary of how those comments were responded too? Mr. Bolser stated that the Staff Report and the General Plan are in the packet, the Commissioners also received a memo that was a summary of all of the minor amendments and a logging of all the public comments through the various mediums. That memo is intended to be a logging of what has been received and the options for replying lie with the Commission and Council on how to address those. Commissioner Thomas asked if that will be addressed at the next meeting? Mr. Bolser stated that the Commissioners can review the comments and can make recommendations or additions to the General Plan.

Chairman Hamilton stated that it is probably in the best interest to wait to respond until all the comments are received.

Chairman Hamilton opened the public hearing, there were no comments. Chairman Hamilton closed the public hearing for this meeting, but encouraged comment on the General Plan before the next meeting.

4. **Public Hearing and Decision on a Conditional Use Permit to allow the use of “Chemical Manufacture and Storage” for Savage Tooele Transload, an industrial rail port, located at 1752 West B Avenue in the I Industrial zoning district on approximately 12.5 acres.**

Presented by Andrew Aagard

Mr. Aagard stated this is an application is for property located in a heavy industrial area near an abundance of railroad spurs and property that was at one time a race track. The property is currently zoned I Industrial, as are all of the surrounding properties. Savage Transload has been before the Planning Commission twice previously to approve operations on two temporary locations, as they worked to secure land for a permanent facility. Having secured land for a permanent facility, they plan to transfer all operations to the new parcel of land. Being considered tonight is the use of “Chemical Manufacture and Storage” on the property. Similar to the temporary location, Savage specializes in the transfer of chemical compounds, such as ammonium nitrate and ammonia prill from railroad cars to semi-trucks to deliver chemicals to clients in the region who utilize the product. Savage does not produce or manufacture the chemical onsite. There is temporary storage of the chemical on site in railroad cars for periods up to 24 hours or slightly more, which is the reason for the Conditional Use Permit. Staff has inserted some of the same conditions that were inserted by the Planning Commission for the temporary locations, one of those being the proper containment procedures in the case of a chemical spill during the transfer process or other malfunction to prevent ground water contamination. A condition has been added to the report that all spill containment measures must be made in accordance with local, state, and federal regulations. Savage is currently operating with ammonia nitrate prill, there is a possibility to operate with another chemical in the future. A condition is added to the permit that the company must inform the Tooele City Fire Department of any changes in product prior to accepting the new product at the site. This was a condition that was present in the previous permits and Mr. Aagard stated that it was his understanding that Savage has complied with this condition. The business also has considerable semi-truck traffic and a condition is included in the Staff Report that trucks use established truck routes. As with previous applications, staff is recommending approval for the Conditional Use Permit, with the nine conditions listed in the report. This item is a public hearing and notices were mailed to property owners within 200 feet of the subject property and no comments or concerns have been registered concerning this application.

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

Commissioner Robinson stated the list of conditions, has there been any history with problems with those conditions. Mr. Aagard stated he is not aware of any. Commissioner Sloan asked about the changes in product condition and they just need to inform, not get approval? Mr. Aagard stated correct. Chairman Hamilton asked if under a Conditional Use Permit, do they need to request approval for different chemicals? Mr. Aagard stated no and that is why there is the condition to the fire department so they are aware of a change in chemicals. Commissioner Thomas asked if there is master plan for the Depot? It seems like there are a lot of uses at the Depot. Mr. Aagard stated other than the permits there is no master plan. Commissioner Thomas asked if that has ben thought about? Mr. Aagard stated there are various companies out there and this is under the Peterson side of the Depot, who oversees a lot of the uses. It is not something the staff is involved in.

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

Commissioner Thomas asked if a master plan for the Depot would be good in the General Plan? Mr. Aagard stated he didn't have an answer for that. Commissioner Sloan stated that it is somewhat governed by the zoning and it is limited to what is doable in code. It is private property. Mr. Baker stated that the General Plan is a citywide plan and does not look at a particular development or zone. That would be handled more appropriately on a zoning or land use basis. Chairman Hamilton stated those could be reviewed during the Conditional Use Permit process.

**Commissioner Robinson motioned to approve a Conditional Use Permit Request by Steve Morrey, representing Savage Services to authorize the use of "Chemical Manufacture and Storage" at 1752 West B Avenue, application number P20-990, based on the findings and subject to the conditions listed in the Staff Report dated October 21, 2020.** Commissioner Sloan seconded the motion. The vote as follows: Commissioner McCall, "Aye," Commissioner Bevan, "Aye," Commissioner Robinson, "Aye," Commissioner Thomas, "Aye." Commissioner Sloan, "Aye," Commissioner Hammer, "Aye," Chairman Hamilton, "Aye." The motion passes.

**5. Decision on a Site Plan Design Review for SR-36 Self Storage proposed to be located at 2035 North 400 East by Kelly Gallacher representing SR-36 Self Storage, LLC, on 5.53 acres in the LI Light Industrial Zoning District.**

Presented by Andrew Aagard

Mr. Aagard stated the Planning Commission just recommended approval of a minor subdivision of this property at the previous meeting and this application reviews the site plan. The property is sandwiched between SR-36 and 400 East, just north of 2000 North. Surrounding properties are largely vacant other than some industrial development to the south. The property is currently zoned LI Light Industrial as are properties to the north, east, and south. There is some GC General Commercial zoning on the north as well. The site plan review is to construct a 13 building storage unit facility. The site is laid out in a manner that has most of the buildings east to west, with the buildings running north to south. The perimeter buildings are storage buildings, but also act as a perimeter fence for the site. There will be an office located in the north east corner with five parking stalls. The parking requirement for this site is three stalls. Access into the site will be primarily from 400 East, however an emergency access for fire protection will be provided on 2000 North. Curb, gutter, park strip and sidewalk will be constructed along the frontage of 400 East and 2000 North. Mr. Aagard stated that when the zoning for the property was approved by the City Council in early 2020, they did so with specific conditions and tied those to the Zoning Map Amendment approval. One of those conditions pertain to the landscaping. Landscaping will include irrigated turf grass, and trees. Mr. Aagard shared the types of landscaping materials on each side of the property. Staff is confident the landscaping proposed satisfies the City Council. Staff has scrutinized the elevations and the buildings being proposed, due satisfy the zoning requirements. Staff is recommending approval.

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

Commissioner Bevan stated she appreciated the fact that it doesn't look like a storage building. Commissioner Thomas stated this looks great and it will be really nice. He stated that the lighting is pointing up and causing lighting pollution.

Mr. Baker reminded the Commission that before conditions can be motioned, the detrimental impacts must be identified so that the conditions are appropriate.

Commissioner Thomas stated that there are impacts to wildlife, drivers, and the public with lights.

**Commissioner Thomas motioned to approve the Site Plan design review Request by Kelly Gallacher, representing SR-36 Self Storage, LLC, application number P20-657, based on the findings and subject to the conditions listed in the Staff Report dated October 22, 2020 and minimize the light pollution.** Commissioner Sloan seconded the motion. The vote as follows: Commissioner McCall, "Aye," Commissioner Bevan, "Aye," Commissioner Robinson, "Aye," Commissioner Thomas, "Aye." Commissioner Sloan, "Aye," Commissioner Hammer, "Aye," Chairman Hamilton, "Aye." The motion passes.

**6. Public Hearing and Decision on a Request by Tooele City for a Text Amendment to Section 7-1-5, Section 7-2-20, and Table 1 of Chapter 7-16 of the Tooele City Code regarding Amusement Facilities.**

Presented by Jim Bolser

Mr. Bolser stated this is an item for intended to help the staff provide some clarity in our defined land uses to make it easier to identify in the City Code how a proposal should be classified and determine if the proposed use is permitted, conditional or not permitted. This is an item where there have been various discussions where an application has come forward and there is not a specific land use for the item. The staff has identified to address the definitions of recreational facilities indoor and outdoor. The proposal is to look at the two definitions and clarify them. The proposal will make a clarification of separate ideas based on the idea of physical activity versus a more entertainment purpose. The new definition for proposal is for amusement activities. This triggers other requirements in the City Code and those also have to be addressed and adds the amusement facility Land Use category to the zones which the activity is allowed in.

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

Chairman Hamilton asked if he update will affect businesses in business right now. Mr. Bolser stated it will affect them by possibly assigning them to a new land use, but it would not affect if they are permitted. Commissioner Sloan asked if an indoor recreation would be permitted in the Industrial. Mr. Bolser stated the permissibility of the two uses is not suggested for change, just the definitions.

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

**Commissioner Robinson motioned to forward a positive recommendation to the City Council for the Amusement Facilities City Code text amendment Request v Tooele City for the purpose of**

revising the City Code regarding Amusement Facilities, application number P20-833, based on the following findings as listed in the Staff Report. Commissioner Bevan seconded the motion. The vote as follows: Commissioner McCall, "Aye," Commissioner Bevan, "Aye," Commissioner Robinson, "Aye," Commissioner Thomas, "Aye." Commissioner Sloan, "Aye," Commissioner Hammer, "Aye," Chairman Hamilton, "Aye." The motion passes.

**7. Public Hearing and Decision on a Request by Tooele City for a Text Amendment to Section 7-4-8, Section 7-11a-10, 7-11a-25, and Table 3 of Chapter 7-14 of the Tooele City Code Regarding Residential Development Standards.**

Presented by Jim Bolser

Mr. Bolser stated this is an amendment to the City Code and it will cover a couple of things. The Commission may recall, there was a section created in the City Code earlier this year for setbacks for driveways on corner lots to the intersection. This is an item where there was an error. The original file was reviewed and the City Code provisions for the measurements were correct, but the selection of the marking in the file for the dimensions was incorrect. The proposal is to fix that dimension. Going back through the building permits it appears none were affected.

Mr. Bolser stated that the second item builds off the same idea in reviewing of the subdivision plats and having the setback of the intersection and how this affects house alignment on the lots. There are three types of developers in Tooele, developers who entitle the project, construct the improvements and build the homes, developers who entitle the project and build the infrastructure and sell the lots to other builders, and finally the builders who get the plats entitled and then sell the development to a third party who develops the project and then builds the homes or sells to an individual builders to build homes. During these processes there are scenarios where the corner lots function well and other corner lots where the placement of the home does not meet the corner setbacks. The code proposal is to add a line for corner lots for lot width requirements, unless the developer provides notation on a plat requiring a home to face a certain way.

Mr. Bolser stated the third items deal with the multi-family design standards. In April of 2019 a third multi-family zone was adopted by the City. In doing that the multi-family design guidelines were also reviewed. One of the provisions created was intended as an encouragement for rear facing garages for multi-family developments. Instead the additional setback requirement created an unaffordability scenario where builders and developers were adding onto the front of the home to setback the garages. It increased the cost to the homeowners without really providing useable space in return. This provision didn't work the way it was intended and the staff is asking to remove it from the code.

Mr. Bolser stated that for the last component of this proposal the City has created design standards for developments and specific guidelines for design. This proposal allows a builder or developer to propose an alteration to the design standards through a process with the Planning Commission, that the alteration of the design still meets the intent of the design standards or increases the return on the provisions. It is called a deviation from strict compliance, but it is not a free pass. The applicant would still have to demonstrate to the satisfaction of the Planning Commission the compliance with City Code intent. Mr. Bolser thanked Hallmark Homes in working with the city to identify these issues.

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

Chairman Hamilton stated he liked the provision for the connectivity and open space item.

Chairman Hamilton opened the public hearing.

Ms. Stephanie Bothell stated she is a private citizen and also the President of the Tooele County Association of Realtors. She has been involved in the discussions for these items. She recommends a positive recommendation and being in the midst of a historic housing shortage anything to speed up the builders to provide homes makes it easier to get people into homes.

Chairman Hamilton closed the public hearing.

Commissioner Thomas asked if there are any other glaring codes that need to be worked on? Mr. Bolser stated that the code is not perfect and there are always issues to be worked on. It is the goal to address issues as they come up and review the code regularly to address issues when they can anticipate them before becoming problems.

**Commissioner Bevan motioned to forward a positive recommendation to the City Council for the Residential Development Standards City Code Text Amendment request by Tooele City Application number P20-832, based on the following findings.** Commissioner McCall seconded the motion. The vote as follows: Commissioner McCall, "Aye," Commissioner Bevan, "Aye," Commissioner Robinson, "Aye," Commissioner Thomas, "Aye." Commissioner Sloan, "Aye," Commissioner Hammer, "Aye," Chairman Hamilton, "Aye." The motion passes.

#### **8. Discussion on Attainable Housing**

Presented by Council Member Wardle

Council Member Wardle thanked the TCAR, and developers for their help with the attainable housing group. The committee has been working on several concepts to make housing affordable and not necessarily add track homes to the community. He introduced the idea of residential special district. This allows for developers and builders to create zoning based on the types of homes they would like to build. There are specific requirements that the developers would have to meet the Planning Commission and City Council would have to pass the zoning. He opened the idea to the Commission to discuss.

The Commissioners voiced that they liked the idea of District. There were questions on if the developers were interested in the idea. Council Member Wardle stated there are interested developers. There was discussion about the types of zones allowed, which would be all residential zones and the size minimums to these type of developments. Commissioners presented the idea of CC&R's and if those would be required for continuing maintenance. Also the idea that residents and homeowners may be turned off by the different sizes of homes in an area, example of a 2000 square footage house next to a 900 square footage house. Minimum house square footage was suggested



at 900 square feet. Trails and walking paths might be an incentive as well as finishing front yards of smaller homes by the developers.

Mr. Bolser stated that the standard text amendment is a four to six week process.

Chairman Hamilton asked Ms. Bothell her ideas on the area. Ms. Bothell stated there is a need for smaller homes. There is a need for homes with smaller yards and more open space. She added information on salary and housing mortgages and the reason these homes are needed.

Commissioner Sloan added statistics of price of homes and home ownership.

Council Member Wardle stated this will go to the Council on November 4, 2020.

**9. Review and Approval of the Planning Commission Minutes for Meeting Held on October 14, 2020.**

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

Mr. Bolser reminded the Planning Commission that the next meeting would be Thursday November 12, 2020.

**10. Adjourn**

Chairman Hamilton declared the meeting adjourned at 8:46 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 12th day of November, 2020

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Tyson Hamilton, Chairman, Tooele City Planning Commission