

**Tooele City Planning Commission
Business Meeting Minutes**

Date: Wednesday, June 23, 2021

Time: 7:00 p.m.

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

Commission Members Present:

Tyson Hamilton
Dave McCall
Matt Robinson
Paul Smith
Weston Jensen
Chris Sloan
Nathan Thomas

Commission Members Excused:

Shauna Bevan
Melanie Hammer

City Council Members Present:

Maresa Manzione, City Council Member
Ed Hansen, City Council Member

City Employees Present:

Jim Bolser, Community Development Director
Paul Hansen, City Engineer

City Employees Excused:

Andrew Aagard, City Planner
Roger Baker, City Attorney

Minutes prepared by Katherin Yei

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

1.Pledge of Allegiance

The Pledge of Allegiance was led by Chairman Hamilton.

2. Roll Call

Tyson Hamilton, Present
Dave McCall, Present
Matt Robinson, Present
Paul Smith, Present
Chris Sloan, Present
Nathan Thomas, Present
Weston Jensen, Present

Melanie Hammer, Excused
Shauna Bevan, Excused

3. Public Hearing and Recommendation on a Zoning Map Amendment by Johnathan Aubrey to reassign the zoning designation for approximately 4.3 acres located at 740 West McKellar Street from MR-8 Multi-Family Residential to MR-25 Multi-Family Residential.

Mr. Bolser stated the identified area has been assigned the high-density residential land use designation and the Zoning Map shows it as an MR-8 Multi-Family Residential area. He stated the Zoning Map would be amended to show the subject property as MR-25 Multi-Family Residential if this application proved successful. He stated the applicant has submitted a concept plan and is the initial plan to help explain the intended use of the area.

Mr. Bolser stated public comment was received via email from Greg Parkensen prior to the meeting. It reads as follows:

This email is in regard to a rezoning hearing scheduled for June 23, 2021 at 7:00 PM. This hearing is about a rezoning amendment by Johnathan Aubrey to rezone 740 McKellar Street from MR-8 to MR-25.

Despite my best efforts, I am unable to attend this hearing, so I'd appreciate if you could read my statement during the hearing. Thank you in advance.

I own 750 McKellar Street which is right next to the property they want to rezone. I have a modest job I work very hard at and I have been saving every penny possible for the last 15 years so I can afford to build a little house on a quiet corner of Tooele. After years of searching I found and purchased 750 McKellar. It's a nice quiet neighborhood on a dead-end street with nice neighbors. My family goes out frequently to pick up trash, mow, kill off weeds and be a good neighbor.

I expected some single-family houses to go in next door, but this proposed rezoning by Johnathan Aubrey will destroy our quiet little rural neighborhood by introducing high density housing with so many buildings and people that the developer is expecting to have to turn McKellar into a through-street in order to handle the excessive traffic. This will not just crush my retirement dream, but will also destroy the neighborhood for my neighbors who have worked

so hard remodeling and fixing up their properties. That's not coming out of thin air, ask the developer.

Please deny this proposal. Not only will it crush my retirement dream, but it will make my property worthless. Put yourself in my shoes. Would you want to work for 15 years, scrimping and saving just to have your dream crushed? Again, PLEASE deny this proposal.

Commissioner Sloan asked if there was an access point to McKellar Street at the south end of the property.

Mr. Bolser stated there is one along the south edge of the property onto McKellar Street and one from the center of the property onto 600 North.

Commissioner Robinson stated in the information from the applicant, the nearby properties are zoned MR-8 but the density is higher. He stated he has been by that area and asked for clarification on the discrepancy.

Mr. Bolser stated that the overall average density of the area is an MR-8 as a combination of multi-family and single-family units, which was developed previously under different zoning.

Commissioner Sloan asked if the map is accurate.

Mr. Bolser stated the development has gone up quicker than Google maps has updated so the mapping is accurate but the aerial under it is not.

Commissioner McCall asked if there would be a wall as a sound barrier.

Mr. Bolser stated that discussion would come later in the process.

Chairman Hamilton opened the public hearing.

Sean Heap stated he owns half of the property that is flagged shaped. He shared his frustration to hearing a road might go right through his property. He stated he has built the home of his dreams away from everyone and is disappointed to hear they are going to build next to him. He stated he hopes the Council rejects it.

Jonathan Aubrey, Applicant with Hunter and Aubrey Development, stated he entered into an agreement with the owner to possibly purchase and develop the land but needs to amend the zoning map from an MR-8 to an MR-25 to accommodate multi-family development and density.

Commissioner Smith stated on the application it says they are going to build 98 units.

Mr. Aubrey stated they hired someone to draw up the plan, setbacks, etc. and can meet 98 units. He stated it is a concept plan and they are willing to work with the City.

Commissioner Smith asked if he is the builder.

Mr. Aubrey stated he will oversee the project but is not the builder directly.

Commissioner Smith asked if he will own it.

Mr. Aubrey stated if it is apartments he will own it; if they build town homes or condominiums they will be individually owned.

Commissioner Smith stated the applicant does not know the plan.

Mr. Aubrey stated he knows what he wants there but he wants to meet the needs of the City.

Commissioner Smith stated he has seen properties like this owned by corporations and the quality of the property goes down. He stated his concern is that it doesn't fit with the rest of the neighborhood.

Mr. Aubrey stated big corporations' purpose is for profit; Hunter and Aubrey Development's mission is to provide housing for the City and uplift the neighborhood; if they can stay in budget, they will build apartments that can stand on their own and believes the best investments are those you hold forever.

Commissioner Smith asked if the company is non-profit.

Mr. Aubrey stated it is for profit but has the understanding that people need good housing.

Commissioner McCall asked if the apartments will be Section 8.

Mr. Aubrey stated they have not addressed if it will be Section 8, but it will impact neighborhood and quality of neighbors.

Commissioner Robinson stated his concern is the jump between MR-16 and MR-25. He stated when the areas were discussed for high density, he cannot remember MR-25 being apart of the discussion.

Mr. Aubrey stated he understood the concern, but by having single-family homes there are multiple vehicles. He stated with apartments it is usually one per apartment, having a little less traffic.

John Hunter, partner of Hunter and Aubrey developments stated they put together an additional plan for zoning. He stated they looked at what the highest level of density would match would match those. He stated they are not necessarily pushing for 98 apartments but creating a plan that fits for Tooele City and possibly a 55+ community.

Chairman Hamilton asked Mr. Bolser what impact studies could be done.

Mr. Bolser stated they can request a traffic study or other studies on topics the Commission or City Council feel are necessary to understand the impacts before making a decision.

Commissioner Thomas asked if it is approved and they went to site design, have they requested multiple designs to review.

Mr. Bolser stated the City has not because a site plan is an administrative case review, and there is not much flexibility in the process. He stated as long as the applicant meets the City Codes, they are obligated to go with the plan.

Commissioner Thomas stated in the last meeting, the Commission had a similar discussion regarding design plans.

Mr. Bolser stated it was part of the legislative case, where they wanted to see drawings and have more flexibility and be requested in part of that process

Commissioner Smith motioned to reopen the public hearing for this item. Commissioner McCall seconded the motion. The vote was as follows: Commissioner McCall, “Aye”, Commissioner Robinson, “Aye”, Commissioner Jensen, “Aye”, Commissioner Smith, “Aye”, Commissioner Sloan, “Aye”, Commissioner Thomas, “Aye,”, and Chairman Hamilton, “Aye”.

Chris Thompson, citizen whom bought 3 ½ acres on McKellar, stated he is against the high-density development.

Commissioner Smith moved to forward a negative recommendation to the City Council due to not fitting into the neighborhood. Commissioner McCall seconded the motion. The vote was as follows: Commissioner McCall, “Aye”, Commissioner Robinson, “Aye”, Commissioner Jensen, “Aye”, Commissioner Smith, “Aye”, Commissioner Sloan, “Nay”, Commissioner Thomas, “Nay,”, and Chairman Hamilton, “Nay”.

Mr. Bolser stated as a reminder that this is not a final vote; The City Council gets the final say. He stated there will be a public hearing at the City Council but no more mailed notices.

4. Public Hearing and Recommendation on Land Use Map Amendment request by Lonestar Properties, LLC, to reassign the land use designation for approximately 20.5 acres located at approximately 2800 North 400 East from Medium Density Residential and Regional Commercial to High Density Residential.

Mr. Bolser stated the subject property is in the northeast portion of the community, approximately 2800 North 400 East near Liddiard’s Home Furnishings with the area north of Liddiard’s being a series of properties that are long and narrow. He stated there was an application for property with a similar request that the City Council was looking at that is the two properties immediately south of this application.

He stated Medium Density Residential would become High Density Residential and the Regional Commercial would be shortened by about three acres. He stated the applicant had submitted a rough concept plan with a layout of a potential development. He specified his understanding that the intent would be to seek MR-25 zoning if this application proves successful and disclosed the applicant provided two maps based on the Land Use Map. The first being a concept map with current land use designations overlaid. The second map shows how the development lies with the proposed change to the Land Use Map.

Commissioner Robinson asked what happened with the other application.

Mr. Bolser stated it had been tabled with the City Council because they wanted to see a concept plan.

Commissioner Thomas asked for a reminder of the other application.

Mr. Bolser stated the property would be similar to this application. He stated there was no concept plan and the City Council asked for additional information.

Commissioner Smith stated it was unclear to him why they wanted regional commercial with apartments.

Mr. Bolser stated they wanted MR-25 because it is the highest density; the applicant can answer further questions.

Chairman Hamilton opened the public hearing.

Mr. Allsop stated they wanted regional commercial because it has the potential for restaurants. He stated it would be maintained as two separate uses; five acres of commercial, reducing original commercial to accommodate high density with club house.

Chairman Hamilton stated it is nice to see a concept plan apart of the application.

Commissioner Robinson asked about access to Main Street.

Mr. Allsop stated there will be access to the main road and a design plan for the club house is in the works. He stated they are asking for MR-25 to be able to reach the height restriction. He understands that there is a prohibition on unit count because of parking, but the density will match the parking.

Commissioner McCall stated he never imagined the growth in Tooele.

Mr. Allsop stated there is a lot of growth within the county and neighboring areas and they want to get in front of it.

Chairman Hamilton stated he is in favor of the concept plan and high density.

Commissioner Robinson asked if they have talked to neighbors and land owners close to this area.

Mr. Allsop stated he talked to owners to the South and property owners have no qualms but are not working together.

Commissioner Thomas stated the traffic issue is commonly brought up, but to keep in mind vehicles don't come and go all at the same time.

Mr. Bolser stated they received a question during the public hearing via email.

It read as follows: "How will the development tie into properties to the north?"

Mr. Allsop stated there is potential for more access to come in and potential for commercial. He stated they would like to be cohesive with the property south.

Commissioner Smith stated there is not a lot of commercial property in Tooele. His concern is if they change commercial to residential, there will be no commercial land in Tooele City. He stated he is against it.

Commissioner Thomas moved to forward a positive recommendation to the City Council for the land use map amendment. Commissioner Robinson seconded the motion. The vote was as follows: Commissioner McCall, “Aye”, Commissioner Robinson, “Aye”, Commissioner Jensen, “Aye”, Commissioner Smith, “Nay”, Commissioner Sloan, “Aye”, Commissioner Thomas, “Aye,”, and Chairman Hamilton, “Aye”.

5. Recommendation on a Subdivision Plat Amendment request to consolidate lots 103 and 108 of the existing Lexington at Overlake Subdivision Plat into one lot, lot 201, located at approximately 1150 North Franks Drive in the MR-16 Multi-Family Residential zoning district.

Mr. Bolser stated the application is to consolidate lots 103 and 108 into one lot with the current zoning of the property being MR-16. He stated the application is to amend the existing Lexington at Overlake Subdivision plat by taking the current boundary line separating the two lots and erasing it.

Commissioner Jensen asked what the reason was behind the request.

Mr. Bolser stated the original plan with the eight lots was going to sell it to different builders. He stated these two lots were both sold to the same person who will be building on both lots and they want to combine them to make it more cohesive.

Commissioner Robinson moved to forward a positive recommendation of the subdivision plat amendment request. Commissioner Jensen seconded the motion. The vote was as follows: Commissioner McCall, “Aye”, Commissioner Robinson, “Aye”, Commissioner Jensen, “Aye”, Commissioner Smith, “Aye”, Commissioner Sloan, “Aye”, Commissioner Thomas, “Aye,”, and Chairman Hamilton, “Aye”.

6. City Council Reports

Council Member Manzione stated the City Council approved minor subdivision by Green River, approved the restrooms at golf course, and had a healthy discussion for rezoning and classification to MR-25 for property by the bowling alley with a vote to table the discuss and ask for additional information and studies.

Council Member Manzione stated during the last Planning Commission meeting, the Commission had asked for a summary of the budget. She stated the budget was approved for next year; the City will adopt current tax rate. She stated there was a discussion on a competitive compensation to hire and maintain good employees.

7. Review and Approval of Planning Commission Minutes for Meeting held on June 9, 2021.

There are no changes to the minutes for June 9, 2021.

Commissioner Thomas moved to approve the June 9th minutes. Commissioner McCall seconded the motion. The vote was as follows: Commissioner McCall, “Aye”, Commissioner Robinson, “Aye”, Commissioner Jensen, “Aye”, Commissioner Smith, “Aye”, Commissioner Sloan, “Aye”, Commissioner Thomas, “Aye,”, and Chairman Hamilton, “Aye”.

8. Adjourn

Chairman Hamilton adjourned the meeting at 8:11 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 _____ day of July, 2021

Tyson Hamilton, Tooele City Planning Commission Chair