

**Tooele City Planning Commission
Business Meeting Minutes**

Date: Wednesday, July 14, 2021

Time: 7:00 p.m.

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

Council Members Present:

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

Commission Members Excused:

Melanie Hammer

City Council Members Present:

Ed Hansen

City Council Members Excused:

Marisa Manzione

City Employees Present:

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

City Employees Excused:

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

Shaunna Bevan, Present
Matt Robinson, Present
Weston Jensen, Present
Nathan Thomas, Present
Dave McCall, Present
Weston Jensen, Present
Paul Smith, Present
Chris Sloan, Present

3. Public Hearing and Decision on a Conditional Use Permit Request by Skyler Hartman with Red E Storage for Approval of the “Personal Storage Facility” Land Use on Approximately 2.8 Acres Located at 1121 West Utah Avenue in the LI Light Industrial Zoning District.

Presented by Andrew Aagard

Mr. Aagard stated the Conditional Use Permit with Red E Storage property is currently zone LI, Light Industrial. He stated the purpose of the permit was to allow storage facility. He stated the conceptual site plan shows storage units laid out.

Chairman Hamilton opened the public hearing.

Commissioner Sloan moved to approve the conditional use permit with Red E Storage for “Personal Storage Facility.” Commissioner Bevan seconded the motion. The vote was as follows: Commissioner McCall, “Aye”, Commissioner Robinson, “Aye”, Commissioner Bevan, “Aye”, Commissioner Jensen, “Aye”, Commissioner Sloan, “Aye”, Commissioner Thomas, “Aye”, and Chairman Hamilton, “Aye”.

4. Public Hearing and Recommendation on a Zoning Map Amendment Request by Mark A. and Marie Jensen with Off Road Innovations, Inc. to Reassign the Zoning for Lot 5 of the Oristrusts Minor Subdivision Amended, on Approximately 2.1 Acres Located at Approximately 701 East 2400 North from GC General Commercial to LI Light Industrial.

Presented by Andrew Aagard

Mr. Aagard stated the property is zoned GC, General Commercial. He stated the property has been before the Commission for Land Use Amendment; This is the follow up rezoning to the Land Map. He stated the applicant did provide a site plan, but still needs to go through the site plan application. He stated the zone map amendment to LI, Light Industrial, is needed because it will include manufacturing with equipment and retail.

Chairman Hamilton opened the public hearing.

Commissioner Robinson moved to forward a positive recommendation on a Zoning Map Amendment from GC, General Commercial to LI, Light Industrial. Commissioner McCall

seconded the motion. The vote was as follows: Commissioner McCall, “Aye”, Commissioner Robinson, “Aye”, Commissioner Bevan, “Aye”, Commissioner Jensen, “Aye”, Commissioner Sloan, “Aye”, Commissioner Thomas, “Aye,”, and Chairman Hamilton, “Aye”.

5. Public Hearing and Recommendation on a Land Use Map Amendment Request by Shawn Holste to Reassign the Land Use Designation for the Proposed Crestview Subdivision, on Approximately 23.67 Acres Located at Approximately 2400 North 70 West from Medium Density Residential (MDR) to High Density Residential (HDR).

Presented by Andrew Aagard

Mr. Aagard stated the subject property is located in a high undeveloped area. He stated it is currently zoned RR5 with the applicant requesting a Land Use Map Amendment of high density residential. He stated the applicant did provide a concept plan that shows a church lot. He stated the City Council wanted the church lot to be a park or green area and to maintain trail system. He stated it is proposed to be townhomes as a MR-8.

Commissioner Smith asked if its MR-8 or MR-16 shown in the Planning Commission Packets. Mr. Aagard stated it could be either, but most likely MR-8.

Commissioner Robinson asked where the temple and the high school would be located. Mr. Aagard stated the Highschool would be west and south of Home Depot and the Temple would be far west.

Chairman Hamilton stated it leaves a buffer on both sides.

Commissioner Robinson asked if they are developing to the east. Mr. Aagard stated they would not be developing.

Commissioner Smith asked if the developer would be honoring the trail system and agreed on the park the City Council wanted. Mr. Aagard stated by his understanding, the developer did agree to honor the trail system and a conversation would happen about the park.

Chairman Hamilton opened the public hearing.

Mr. Holste stated they are trying to bring in different homes for different finance standings. He stated it was unclear on what the City Council wanted for the park. He stated he wanted to contribute money to other parks to finish those instead of adding a park to that area, but needed to continue the conversation with the City Council.

Commissioner Thomas asked when they talked about a trail, if it was to widen the sidewalk. Mr. Holste stated his understanding was they would just widen the sidewalks. He stated they would be adding townhomes that are individually owned giving opportunity for people to buy.

Commissioner Smith asked if Mr. Holste was the developer.

Mr. Holste stated he is the developer.

Commissioner Sloan stated this project hits all the boxes the Commission has wanted within these projects.

Commissioner Sloan moved to forward a positive recommendation on a Land Use Map Amendment Request by Shawn Holste to Reassign the Land Use Designation for the Proposed Crestview Subdivision from Medium Density Residential (MDR) to High Density Residential (HDR) with the consideration the developer and the City having a meeting regarding the park. Commissioner McCall seconded the motion. The vote was as follows: Commissioner McCall, “Aye”, Commissioner Robinson, “Aye”, Commissioner Bevan, “Aye”, Commissioner Jensen, “Aye”, Commissioner Sloan, “Aye”, Commissioner Thomas, “Aye,”, and Chairman Hamilton, “Aye”.

6. Public Hearing and Recommendation on a Land Use Map Amendment Request by Amerco Real Estate Company Representing U-Haul Moving and Storage to Reassign the Land Use Designation for Approximately 6.0 Acres Located at 2135 North 400 East from Regional Commercial (RC) to Light Industrial (LI).

Presented by Andrew Aagard

Mr. Aagard stated the subject property is located east of the hospital and zoned GC, General Commercial. He stated the property is located within the North Tooele Gateway Overlay. He stated the current land use designation is Regional Commercial which is oriented as business parks and research area. He stated the applicant wishes to amend the land use map to LI, Light Industrial and provided a concept plan showing their plans to rent trucks and have a building with interior, exterior, and RV storage facilities.

Chairman Hamilton opened the public hearing.

Mr. Ling stated he is the President of U-Haul Company in Utah. He stated they build storage units with climate control. He stated it would be a three-story building. He stated it is a need that needs to be addressed within the community.

Commissioner Sloan asked if there is anything car sized with climate control within their units. Mr. Lang stated there are some spots on the exterior but nothing on the inside.

Commissioner Sloan stated when he thinks of U-Haul centers, he thinks of the older buildings and asked if it has evolved from what he pictures.

Mr. Lang stated it has evolved into a visual similar to a office building. He stated his goal was to try to adapt to what the City needed. He passed out visual aide for the Planning Commission.

Commissioner Robinson asked what happens to those who have a U-Haul dealership in Tooele. Mr. Ling stated his intentions are not to replace independent dealers. He stated he hopes that the local dealers stay in town and the business increases.

Commissioner Smith asked if there is sales tax on these rentals and if it goes to Tooele City. Mr. Ling stated the truck rentals and packaging items are taxable with the storage units not being taxable. He stated the point of sale is in Tooele; the sales tax stays here.

Commissioner Smith stated by approving this project Tooele is giving up retail spaces and sales tax. He asked what the percentage is rentals versus trucks. Mr. Ling stated the total gross income was fifty-fifty.

Commissioner McCall stated he has many questions for the next phase of this project, but likes that it will blend nicely into the community.

Mr. Galligore stated he owns storage units in the area and had many requirements he had to follow to build his units. He asks the Commission to consider the same requirements for this storage unit as they put on his.

Commissioner Robinson stated there was hesitancy to move forward from the City Council.

Council Member Hansen stated they did put it through the ringer because they wanted something more professional and business looking

Chairman Hamilton reminded the Planning Commission that the amendment was just a land use map amendment, but appreciated the particular information from the public.

Commissioner Sloan moved to forward a positive recommendation on a Land Use Map Amendment Request by Amerco Real Estate Company Representing U-Haul Moving and Storage to Reassign the Land Use Designation for Approximately 6.0 Acres Located at 2135 North 400 East from Regional Commercial (RC) to Light Industrial (LI).

Commissioner Bevan seconded the motion. The vote was as follows: Commissioner McCall, “Aye”, Commissioner Robinson, “Aye”, Commissioner Bevan, “Aye”, Commissioner Jensen, “Aye”, Commissioner Sloan, “Aye”, Commissioner Thomas, “Aye,” and Chairman Hamilton, “Aye”.

7. Public Hearing and Recommendation on a Proposed Text Amendment Request by Tooele City to Revise the Terms of Chapters 7-13, 7-14, and 7-16 of the Tooele City Code Along with the Creation of Chapters 7-14b and 7-16a Regarding the Enactment of RSD Residential Special Districts and CSD Commercial Special Districts.

Presented by Jim Bolser

Mr. Bolser stated this item came from a sub-committee formed to look at attainable housing and address the needs of the community for all segments of the housing market. He stated the RSD, Residential Special District, allows developers that qualify to write their own zone. He stated there are downsides to zoning including changing ordinances for revisions take time. He stated the idea is that the Planning Commission and City Council can set up the zone from the beginning that allows free mixtures and flexibility, and is open and transparent process to do so.

He stated RSD was introduced as 30 acres as a minimum project size and must be identified as a residential land use area. He stated CSD is basically the same thing but for the commercial side. He stated they looked at other programs in other communities and captured the highlights and eliminate the lowlights.

Commissioner Thomas asked if there are enough 30 acre lots within the city.

Mr. Bolser stated looking at different parts of the City, most are fairly good-sized bulk property areas and knowing what comes in day-to-day is hard to say how many can come in as a group or individually.

Commissioner Sloan stated he would like to see something closer to 20 acres instead of 30 acres.

Commissioner Smith stated many projects fall closer to 20 acres.

Commissioner Bevan asked what some of the lowlights and concerns would be?

Mr. Bolser stated it an example was a call for specific amenities or sizes and calipers. He stated they do not want to pre-determine anything, as well as not wanting to lose the incentive of the program by pre-determining what we want.

Chairman Hamilton likes idea of a diverse community and business opportunity.

Commissioner Smith stated it allows the staff to do their jobs a bit better and use more tools.

Mr. Bolser stated it does give the opportunity to staff to work with the applicants, collaborate and create an achievable goal for all involved.

Commissioner Robinson stated he is excited to see this in place. He stated he agrees it does give tools that allow staff to maximize the talent and skills with land owners and developers, but thinks the minimum should be a little smaller to allow projects to use effectively.

Commissioner McCall stated he agrees with smaller number of 25 or 20 acres.

Council Member Hansen stated the City Council had a similar discussion and wanted to see a smaller number. He stated if they approve the 30 acres and it does not work they can change it later.

Mr. Bolser stated the initial draft discussion with the City Council showed 50 acres minimum was a random number to spark a discussion. The Council suggested starting the formal review process with a minimum acre of 30. He stated he is working on a document as a template that outlines and walks the applicant right through the process. He stated legally they still have to have standards established.

Chairman Hamilton opened the public hearing.

An email was received from Stephanie Bothell, Tooele County Association of Realtors. It reads as follows:

I'm writing to urge the Commission to send a favorable recommendation to the Tooele City Council regarding the RSD. This will allow the City to be much more flexible when approving housing development. Similar RSDs have worked well in other municipalities like Draper.

In this unprecedented time of housing crisis, an RSD would allow developers and builders to think outside of the box to offer more affordable homes in our city. The RSD would also allow the council full power to approve projects and also to deny projects that don't work for our city.

We need to give our developers more options to think creatively and then hope they choose to work with all of us to help address the obstacles to attainable homeownership.

Respectfully,

Commissioner Bevan moved to forward a positive recommendation on the proposed text amendment for RSD and CSD with the change to RSD requirement from 30 acres to 20 acres. Commissioner Sloan seconded the motion. The vote was as follows: Commissioner McCall, “Aye”, Commissioner Robinson, “Aye”, Commissioner Bevan, “Aye”, Commissioner Jensen, “Aye”, Commissioner Sloan, “Aye”, Commissioner Thomas, “Aye”, and Chairman Hamilton, “Aye”.

8. City Council Reports

Council Member Hansen stated they talked about the property North of Lidiards asking to be changed to high density with a lot of discussion and tabling for further changes and discussion. He stated the City Council tabled the McKellar property to see something smaller than MR-25.

Commissioner Robinson asked if the Planning Commission’s public hearing was sufficient for that topic.

Council member Hansen stated it was for the time being.

Council Member asked that Council Member Manzione be excused from the meeting.

9. Review and Approval of Planning Commission Minutes for Meeting held on June 23, 2021.

No changes to the June 23 minutes need to be made.

Commissioner Robinson moved to approve the June 23 minutes. Commissioner Bevan seconded the motion. The vote was as follows: Commissioner McCall, “Aye”, Commissioner Robinson, “Aye”, Commissioner Bevan, “Aye”, Commissioner Jensen, “Aye”, Commissioner Sloan, “Aye”, Commissioner Thomas, “Aye”, and Chairman Hamilton, “Aye”.

10. Planning Commission Training on Administrative and Legislative Reviews.

Mr. Bolser stated the training was on Legislative and Administrative reviews. He lead a discussion on the topic including various discussion points. He stated the purpose of Legislative issues is to establish laws and regulations; legislative decisions are valid if it is reasonably debatable that the actions would benefit the general welfare. He stated the purpose of Administrative issues is to apply laws and regulations; Administrative cases are less flexible and decisions are valid if supported by substantial evidence in the record. He stated it is important that the minutes themselves are as correct as possible because it is the official record that the court will review if necessary.

11. Adjourn

Chairman Hamilton adjourned the meeting at 9:14 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